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New York

SUMMARY RECORD OF THE 6th MEETING

Chairman: Mr. SOMAVIA (Chile)

later: Ms. COOMBS (Vice-Chairman) (New Zealand)

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 88: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (*continued*) (A/45/552)

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AGENDA ITEM 98: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (*continued*) (A/45/3, chap. III, sect. A, A/45/174, A/45/443, A/45/525)

AGENDA ITEM 103: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (*continued*) (A/45/488, A/45/500)

1. *Mr. KHALIFA* (Special Rapporteur, the Sub-Commission on Prevention of Discrimination and Protection of Minorities) introduced the report on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa (A/45/552). Like the communist system that had collapsed in Eastern Europe, the *apartheid* system in South Africa was nearing its end. Communist dictatorship and *apartheid* were related since they were both authoritarian, denied basic freedoms and lied to the people. Having seen the downfall of the system in Eastern Europe, South African President de Klerk had set out to create a climate of optimism with his conciliatory tone and emphasis on negotiations to reach a peaceful solution. His flexibility in advocating a dialogue with the African National Congress of South Africa (ANC) should certainly be commended. Nevertheless, it was essential to proceed from promises to performance and undertake negotiations leading to the complete abolition of *apartheid*. South Africa should not be allowed to win respect through half measures and reversal of sanctions while failing to deliver on its promises.

2. Unfortunately, measures had already been taken to lift or ease sanctions. The United Kingdom had unilaterally announced an end to its ban on new investments in South Africa. Hungary had invited South Africa to open a diplomatic mission in Budapest and other Eastern European States had followed suit in the diplomatic and trade fields. Such regressive measures were counterproductive and did not bring South Africa any closer to the negotiating table. South Africa was faced with a number of problems: the impact of the sanctions, economic decline, resistance by the black population and the question of political power-sharing. Pressure therefore must be increased in order to achieve the right effect. South Africa's current conciliatory attitude was rooted in the realization that there was no future without significant political reform. Economic growth had actually fallen in the past few years to 2 per cent or less. Although the sanctions did not cripple South Africa, they certainly hurt.

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3. According to a recent report by the Economic and Social Council, while disinvestment and the trading boycott on South Africa had affected business confidence and morale, the impact on the South African economy was less than desired. Trade, in fact, was the weak link in the chain. While some countries had reduced their trade, others would increase it. Some Far Eastern and Western European States were expanding trade with Pretoria, thus undermining the positive action taken by other States. A recent report by the Special Committee against *Apartheid* indicated that Hong Kong, Portugal, Spain, Switzerland, Taiwan, Turkey, and the United Kingdom had increased their trade with South Africa. Furthermore, some of South Africa's major trading partners, such as Japan, while prohibiting investments, insisted on trade on the basis of what was called the free-trade principle. The question of incomplete or fictitious disinvestment and the causes of the sanction-evasion were dealt with in chapter II of his report.

4. Chapter III of the report attempted to determine the impact of sanctions on the South African economy. The Centre on Transnational Corporations had found that sanctions were effective, although their impact had been seriously undermined by the fact that they were not comprehensive and, in many crucial areas, were not mandatory. On the other hand, financial sanctions, including restrictions on the availability of trade credits, were considered to have had the greatest impact. The international capital boycott imposed in 1985 had caused serious damage. As a result, real average income today in South Africa was 15 per cent lower than it would have been without sanctions and disinvestment.

5. The world hoped that Mr. de Klerk's initiative would lead to the total abolition of *apartheid*. The main pillars of the *apartheid* system, the segregation laws, must be abolished in order to bring about a democratic order in South Africa. In spite of the promises of change, there were still many bridges to be crossed. Even if negotiations were initiated, there could still be years of stalling, manoeuvring and strife. Like Israel, South Africa was known for its tough bargaining tactics and manoeuvres aimed at creating an atmosphere of discouragement and confusion.

6. It was regrettable to note the recent resumption of activities by forces opposed to change in South Africa. White extremists were carrying out terrorist attacks to undermine the atmosphere of "détente". Black factional violence was spreading and threatening to divide black leaders. The South African police had aggravated that situation through the undisciplined and hostile manner with which they dealt with the recent violence in the townships. That, however, was to be expected since the police functioned as the strong arm of the *apartheid* system.

7. Sanctions and measures to isolate the South African régime had impeded economic development in that country and had had a major impact on the confidence of the white community in a secure future. The recent thaw in East-West relations had diminished South Africa's geopolitical importance. No one seriously believed that an emerging multi-racial South Africa would ever adopt the discredited communist model. The time had not come to relax pressure on South Africa. The United States of America had been most effective in bringing about a change of

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(Mr. Khalifa)

attitude in South Africa and had decided to maintain its sanctions in order to ensure that South Africa negotiated in good faith. The United States was one of the few countries that had enacted a law making it an offence to trade with South Africa. Having passed through a similar process in its history, the United States had a responsibility to help put an end to the *apartheid* system.

8. Continued unrelenting pressure by the black majority would lead to changes regardless of the Government's wishes. Pretoria would have been fatally weakened years ago if its access to oil and military technology had been cut off. Israel's collaboration with South Africa in the field of military technology was continuing. In November 1989, the United States Justice Department had announced that five people had been indicted in a complex scheme to export sophisticated missile parts to Israel and then ship them secretly to South Africa. The next few months would be a crucial period. The real intentions of South Africa and its allies would become clear; and the international community would be in a better position to decide on the best way to deal the final blow to the inhuman *apartheid* system.

9. Mr. SIGURDSSON (Iceland), speaking on behalf of Denmark, Finland, Norway, Sweden and Iceland, noted that the United Nations was based on the principles of the dignity and equality of all human beings. Racism and racial discrimination constituted denials of those human rights and had been repeatedly condemned and rejected by the Nordic countries and by the international community, as evidenced by the achievements of the Second Decade to Combat Racism and Racial Discrimination and the implementation of the Programme of Action for the Decade. Success in eliminating racism and racial discrimination depended on effective co-ordination by the international community and on co-operation with non-governmental organizations in their role in the fight against those scourges. He mentioned the need to strengthen public information activities, since all societies were responsible for informing and educating their citizens concerning racism and racial discrimination. The Nordic countries hoped that advantage would be taken of the improving political climate in order to use all possible means to eliminate racism and racial discrimination. They welcomed the recommendations and conclusions contained in the report entitled "Study on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination" (A/45/525) and felt that it deserved careful consideration.

10. Turning to the question of *apartheid*, he said the Nordic countries had always insisted on the need to put an end to it by peaceful means and to bring about the establishment of a just, non-racial, democratic and egalitarian society in South Africa. The United Nations Declaration on *Apartheid* and Its Destructive Consequences in Southern Africa adopted by the General Assembly at its sixteenth special session in December 1989 provided an important framework for a negotiated settlement leading to the eradication of the *apartheid* system. That declaration and the resolution adopted by the General Assembly at its resumed special session on *apartheid* in September 1990 constituted a unanimous signal from the world community that the abhorrent system of *apartheid* must be abolished. During the past year, political developments in South Africa had been positive, and the

(Mr. Sigurdsson, Iceland)

agreements between the African National Congress and the South African Government were welcome developments. With fundamental change within reach, it was to be hoped that all parties in South Africa would commit themselves to peaceful change. However, the apartheid system was still firmly in place as was shown by the fact that the vast majority of South Africans did not enjoy the right to vote. In a joint communiqué from their meeting in September 1990, the Nordic Foreign Ministers had stated that, until profound and irreversible changes had been made regarding the abolition of apartheid and the introduction of basic human rights, their countries would continue to exert pressure on the South African authorities.

11. With regard to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), he said that although it was the most comprehensive United Nations instrument in the field of racial discrimination, the committee which monitored its implementation was still confronted with financial difficulties. The Nordic countries felt that States Parties to the Convention were responsible for ensuring solid financial backing for its implementation and interpreted the failure of some States Parties to meet their financial obligations as a lack of political commitment to the Convention and to the standards it embodied. They welcomed resolution 1990/25 adopted by the Commission on Human Rights on the effective functioning of bodies established pursuant to United Nations human rights instruments. With regard to the contingency reserve fund recommended in that resolution, he said the countries he represented felt that all the States Parties should share the responsibility for the financing of CERD. He also stressed the importance of providing it with timely, comprehensive and accurate reports.

12. Ms. ILIC (Yugoslavia), noted the historic changes which had occurred in many countries at all levels over the past year. They opened prospects for building a more democratic system of international relations and were responsible for the United Nations becoming a forum of truly universal co-operation. Recent landmarks in the struggle by the United Nations against racism, racial discrimination and apartheid included the independence of Namibia and the adoption of the Declaration on Apartheid in December 1989. Various forms of discrimination still, however, existed in many parts of the world and represented a potential cause of national, and even international, conflict. Apartheid, which was the most clearly institutionalized form of racism, still constituted a tremendous challenge to mankind and was unfortunately a fact of everyday life for the majority of South Africa's population. The recent violence in that country constituted yet another proof that peace would come to South Africa only when apartheid was completely dismantled. Her delegation firmly believed that concerted international action was needed for the full and successful eradication of racism, racial discrimination and apartheid.

13. During the 20 years of its existence, the Committee on the Elimination of Racial Discrimination had played a highly important role, and her delegation fully supported its activities, including the meeting proposed for August 1991 between the members of the Committee and those of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Her delegation viewed with concern

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(Ms. Ilic, Yugoslavia)

the Committee's critical financial situation arising from the failure of certain States Parties to fulfil their financial obligations under the Convention and urged that full attention should be given to the recommendation made by the Commission on Human Rights in its resolution 1990/25 to the Secretary-General concerning the establishment of a contingency reserve fund. Other ways and means of financing the Committee should also be explored. Despite its support for the Committee and its activities, her delegation was regretfully forced to express its dissatisfaction over errors and omissions in that part of the report contained in document A/45/18, which referred to the ninth and tenth periodic reports submitted by Yugoslavia.

14. Yugoslavia fully supported the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and subscribed to many of the proposals contained in the "Study on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination" (A/45/525). She expressed her delegation's satisfaction that the Working Group established by General Assembly resolution 34/172 had completed its work on the elaboration of a draft convention on the rights of all migrant workers and their families. she hoped it would be adopted at the current session.

15. Yugoslavia, as a multinational State with many national minorities within its territory and many of its own people living in neighbouring countries, attached particular importance to the promotion of the status of national minorities and the protection of their rights. Yugoslavia had taken an active part, within the United Nations system and the Conference on Security and Co-operation in Europe, in the elaboration of basic principles in that regard. One of the results of those efforts had been the completion at the forty-sixth session of the Commission on Human Rights of the first reading of a draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, which his delegation trusted would be finalized at the Commission's next session.

16. The latest bloodshed in Jerusalem had focused attention once again on the Middle East crisis, at the core of which was the question of the full realization of the right of the Palestinian people to self-determination, including the right to a State of its own. She affirmed her country's active support of the cause of peoples under colonial and foreign occupation in their struggle to realize their rights to self-determination and independence.

17. Mr. BAMSEY (Australia) said the commitment to racial equality was one of the moral and political corner-stones of the United Nations and that the challenge to eliminate racial prejudice and discrimination should be confronted by States collectively as well as individually. Australia had fully shared the commitment of the United Nations to combat racism and racial discrimination and had taken a prominent stand in that connection, including in the imposition of sanctions along with its Commonwealth partners. As the Second Decade against Racial Discrimination entered its last few years, it was clear that the time for the international community to diminish its efforts had not yet come as every day brought incidents of racial tension and violence throughout the world. Education was crucial for ensuring that future generations were more tolerant of racial differences.

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(Mr. Bamsey, Australia)

18. Another area of practical action was government legislation and the establishment of machinery to enforce its provisions. In that connection he mentioned United Nations efforts to develop model laws for the prevention of racial discrimination and said that in Australia an official inquiry was currently being conducted into racially motivated violence. Member States could also strengthen their collective efforts by ensuring that the provisions of the Convention on the Elimination of All Forms of Racial Discrimination were fully implemented. The States Parties to the Convention must fully accept the principle of accountability inherent in it and meet their reporting and financial obligations in a full and timely way. Australia took the view that all Governments were accountable for protecting human rights in the territories they governed and fully accepted that its own record should be open to scrutiny. It also attached great importance to the United Nations Working Group on Indigenous Populations.

19. A major development in his country during the past year had been the establishment of the Aboriginal and Torres Strait Islander Commission, which would provide Australia's indigenous people with an unprecedented opportunity to determine and shape policy. The Commission marked a turning-point in which decision-making power in aboriginal affairs was vested in elected representatives accountable to regional councillors and local communities of indigenous peoples. In addition, a royal Commission had been examining the causes of deaths of aborginal people in police and prison custody from 1980 until June 1989. The final report of that Commission was expected to influence Australian policy for many years, and the implementation of the recommendations it contained would be monitored by the United Nations, Amnesty International and other international bodies.

20. The right to self-determination, had always been a basic preoccupation of the United Nations and Iraq's brutal actions in Kuwait represented a violation of it through foreign invasion and occupation, which his Government unreservedly condemned. Australia joined the world-wide appeal to the Government of Iraq to withdraw its military forces from Kuwait in accordance with United Nations Security Council resolutions. The right to self-determination included the continuing right of all peoples to participate fully in the political process by which they were governed. Australia welcomed the exercise of the right to vote in the elections held in Myanmar in May 1990, the results of which indicated the clear desire of the people of Myanmar for a democratic system of government. The Government of Australia had accordingly called on the present rulers of Myanmar to make possible the transfer of power to a civilian Government chosen by the elected Parliament. Finally, in connection with the Palestinian issue, he said his country had consistently expressed support for a solution to the dispute based on Security Council resolutions 242 (1967)and 338 (1973). While asserting the right of Israelis to live within secure and recognized borders, it also acknowledged that of the Palestinian people to self-determination and to an independent State.

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21. Miss JUNEJO (Pakistan) said that faith in fundamental human rights and in the dignity and worth of the human person were reaffirmed in the Charter of the United Nations. It was obvious that elimination of racism and racial discrimination, particularly in the form of apartheid, should constitute a fundamental objective of the United Nations. That concern was also reflected in the adoption by the General Assembly of the Declaration on Apartheid and Its Destructive Consequences in Southern Africa. So far, however, there had been no evidence of profound and irreversible changes which could provide any justification for relaxing international pressure against South Africa, and it was imperative that Security Council resolution 418 (1977) on a mandatory arms embargo against South Africa should be strictly enforced, as should all General Assembly resolutions aimed at the elimination of apartheid.

22. In Pakistan, the evil of racism and racial discrimination did not exist. Pakistan had been one of the first countries to sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination and was also a Party to the Convention on suppression and punishment of the Crime of Apartheid. It had scrupulously avoided all economic, political, military, cultural and athletic contact with South Africa and would continue to do so until the odious system of apartheid was dismantled and a Government based on the will of the majority was established.

23. Her delegation felt that the elimination of apartheid should be given the highest priority during the remaining years in the Second Decade to Combat Racism and Racial Discrimination. She hoped that the financial constraints that had arisen in the implementation of the objectives of the Decade would soon be overcome.

24. The Convention on the Elimination of All Forms of Racial Discrimination was the first United Nations human rights instrument containing machinery for its implementation. It was a matter of concern that the Committee on the Elimination of Racial Discrimination, which was called upon to examine the measures adopted by the 129 States Parties to the Convention to give effect to its provisions, had not yet emerged from the financial doldrums of 1986. Her delegation urged all States Parties to honour their financial obligations so as to enable the Committee to perform its important and valuable work.

25. The discriminatory treatment meted out to migrant workers and their families was often due to traditional prejudices and ethnic, religious or economic factors. Care must be taken to ensure that measures to preserve the linguistic and cultural identities of migrant workers were not used to isolate and alienate them from the mainstream of national life.

26. Her delegation hoped that the profound global, political and economic changes now taking place might signal the complete, final and unambiguous eradication of racism, racial discrimination and apartheid and usher in a world where the dignity and worth of human beings were recognized in their true meaning.

27. Mr. KRENKEL (Austria) said that States were obliged under the relevant international legal instruments to combat racial discrimination, which ran counter not only to basic principles of humanity but also to freedom and democracy. His own country had always attached the greatest importance to promoting tolerance and combating prejudice and to protecting the rights of minorities. Austria regretted the failure of 67 of the 130 States that had ratified or acceded to the Convention on the Elimination of All Forms of Racial Discrimination to fulfil their financial obligations under it, thereby preventing its supervisory body from performing its task. It also deplored the fact that reports under the Convention were often not submitted or submitted only with considerable delay. His delegation therefore supported the recommendation for the establishment of a contingency reserve fund for that body and urged all States to pay their outstanding assessments and arrears.

28. His country fully supported the objectives of the Second Decade to Combat Racism and Racial Discrimination and its Programme of Action and strongly condemned apartheid as the only institutionalized form of racism. Apartheid must be dismantled as soon as possible, and Austria therefore welcomed recent developments in South Africa and the readiness of the Government and the representatives of the black majority to enter into negotiations. Austria also urged all the parties to renounce violence and to resolve their differences through frank dialogue and co-operation.

29. All peoples had the right to self-determination. He welcomed Namibia's recent accession to independence and the fundamental changes in the direction of democracy and the rule of law that had taken place in Eastern Europe. Such changes were positive models for a peaceful political solution of the Cambodian problem through a United Nations-monitored peace plan. He deplored, however, Iraq's illegal aggression against, and annexation of, Kuwait. He appealed to Iraq to withdraw its forces immediately and unconditionally, to release all foreigners and to restore that country's sovereignty and territorial integrity. The exercise of the right of self-determination also prevented such human rights violations as mercenary activities and he supported the view that specific international and domestic legal measures were needed to prevent such activities. The United Nations role in promoting self-determination through free and genuine elections should also be strengthened.

30. Mr. BOUTET (France) said that there could be no justification for racial discrimination and that his Government had recently strengthened legal and administrative measures to combat it, including steps on behalf of the most vulnerable population groups, such as migrant workers. The war against racism must remain an international one and be conducted through dialogue and consensus. France supported the activities carried out within the framework of the Second Decade to Combat Racism and Racial Discrimination, and particularly the development of legal and educational tools to fight racism and to ensure the participation of private individuals and associations in the anti-racist efforts of States and intergovernmental organizations. One of the most effective instruments available to the international community for fighting racism was the Committee on the Elimination of Racial Discrimination. He regretted the fact that its operation was being impeded by lack of resources owing to the failure of too many States parties

(Mr. Boutet, France)

to pay their arrears, and he urged them to do so as soon as possible. He also supported the proposal for the establishment of a contingency reserve fund as a matter of priority in order to enable that committee to perform effectively.

31. One of the most flagrant human rights violations was *apartheid* and its immediate and unconditional abolition was an urgent priority. He therefore welcomed the recent courageous initiatives taken by the President of South Africa. Peaceful dialogue between the South African authorities and the representatives of all the communities in the country was the only way to make it a non-racial democracy. It was unfortunate that, despite those positive developments, the country was undergoing a period of inter-community violence and he urged all parties to end useless bloodshed, which could only delay and compromise reform. Hatred and violence were the product of *apartheid* itself, but no group or individual could escape the responsibility of working to break the vicious circle.

32. Ms. Coombs (New Zealand) took the Chair.

33. Prince Mansour bin Khalid Al-Farhan AL-SAUD (Saudi Arabia) said that the cluster of agenda items relating to the elimination of racial discrimination and the right of peoples to self-determination had acquired particular importance in light of the grave situation created by the invasion and annexation of the State of Kuwait by the Iraqi régime. There had been no precedent in modern Arab and Islamic history for an act of aggression in which one Arab Muslim country had devoured another Arab Muslim country. The occupation of an independent sovereign State and a Member of the United Nations was a flagrant violation of the Charter and of international law and custom. Its perpetuation would defy the will of the international community as expressed in successive Security Council resolutions condemning Iraq, calling for the withdrawal of its forces and insisting on the restoration of the legitimate Government of Kuwait. That the forces of the Iraqi régime continued to deprive the Kuwaiti people of all its rights and to threaten the security of Saudi Arabia and of the region as a whole revealed the intention of further aggression.

34. His delegation hoped that the Committee would adopt a decisive stance and would reject and condemn the savage and inhuman practices engaged in by the forces of the Iraqi régime against nationals and residents of Kuwait. The holding of thousands of innocent foreign hostages as a human shield for the Iraqi armed forces clearly revealed the uncivilized conduct of the Iraqi régime, which was incompatible with all religious, moral and human values. His delegation re-emphasized its firm stand, together with the entire international community, in rejecting the occupation and condemning all of the practices to which it gave rise, and it insisted once again on the full, immediate and unconditional withdrawal of Iraqi forces from Kuwait and on the restoration of the legitimate Government.

35. Since the natural human rights to safety, security, justice and stability were basic to human order, the Committee must adopt a decisive position both on the acts perpetrated by Iraq in Kuwait and those perpetrated by Israel in the occupied Palestinian territory.

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(Prince Mansour bin Khalid Al-Farhan Al-Saud, Saudi Arabia)

36. A treacherous act of aggression had taken place at a stage in contemporary history where the signs of a new international order had begun to emerge, the cold war had come to an end and there was an international trend towards the realization of the purposes and principles of the Charter of the United Nations. The international stand against that act of aggression and the firm resolve to prevent the aggressor from reaping its fruits gave hope and confidence for a future in which justice, security and peace prevailed.

37. The Israeli occupation authorities had carried out a fresh massacre of Palestinian Arabs in the vicinity of the Holy Al-Aqsa Mosque, and the Palestinian people continued to pay with its blood for the sake of its historic intifadah against the occupation forces, against oppression and against racial discrimination in all its forms. The Committee must also adopt a decisive stance with regard to that racist massacre, in which more than 20 Palestinians had been killed and hundreds wounded.

38. Mr. AYALA (Ecuador) said that his country's categorical rejection of racial and all other forms of discrimination was reflected domestically in its legal system and internationally in its condemnation of apartheid, as the most blatant form of discrimination. Apartheid could not be reformed. It must be completely eradicated. His country had been firm in maintaining no relations with the South African Government and felt that the failure to comply with the relevant United Nations resolutions was a very serious matter, and one that must be analysed. Less visible, but equally reprehensible, forms of discrimination were xenophobia; extreme nationalism; and the mistreatment of migrant workers, displaced families, ethnic minorities and indigenous populations. Ecuador therefore renewed its appeal to States Members that had not yet done so to accede to and ratify the Convention on the Elimination of All Forms of Racial Discrimination and urged the adoption of the Convention on the Protection of the Rights of All Migrant Workers and Their Families as well as the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities. His country also urged Member States to pay the contributions that would permit the Committee on the Elimination of Racial Discrimination to carry out its important work. His country had made the declaration referred to in article 14, paragraph 1 of the Convention and he drew attention to the report in document A/45/18 in order to stress his country's growing awareness of the problems of indigenous populations and its increased determination to deal with them. His Government was increasingly sensitive to the needs of aboriginal cultures and determined to respect their individual identities. A presidential commission had been established in Ecuador to maintain a permanent dialogue with indigenous organizations in order to serve their interests.

39. The rights of Ecuador's different races and cultures were fully guaranteed not only its domestic legislation but through the country's faithful compliance with the relevant international instruments. The Ecuadorian Constitution had established a special court to which any natural or legal person might turn

(Mr. Ayala, Ecuador)

whenever its rights and freedoms under the Constitution or under the Convention were violated.

40. His delegation welcomed the achievements of the Second Decade to Combat Racism and Racial Discrimination and hoped that they would herald the complete removal of that blotch on the escutcheon of mankind. Ecuador also condemned colonialism, neo-colonialism, military intervention, aggression and foreign occupation in its support of the right of self-determination.

41. Miss BACH-TOBJI (Tunisia) said that the most pernicious form of racism was the *apartheid* system practised in South Africa. The fact that in recent months some signs of change had begun to appear in South Africa in no way altered the fundamental problem. The *apartheid* régime was based on racism, exploitation, repression and total contempt for international law. It could not be changed: it must be dismantled, and global mandatory sanctions were the only effective means.

42. Another form of racism was that suffered by vulnerable groups such as migrant workers. Tunisia noted with concern the recent resurgence of racism and xenophobia against migrant workers and supported resolution 1990/2 adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its session in August.

43. Her delegation appreciated the persistent efforts of the United Nations system in implementing the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and supported the conclusions and recommendations in the study by the Special Rapporteur, Mr. Eide, in document A/45/525. Her delegation also agreed that greater co-ordination was needed between the various United Nations bodies dealing with racism, in particular through joint meetings, as proposed by the Committee on the Elimination of Racial Discrimination at its August 1990 session, as well as a concerted plan to ensure the follow-up of the Programme of Action when the Decade ended in 1993. Tunisia also supported the idea of compiling model legislation to assist countries in drafting further legislation against racism.

44. The Tunisian delegation noted with concern that in the programme of activities so far, not enough attention had been paid to the use of education and cultural means, as well as the media, in eradicating racism. There were many activities planned for the last part of the current Decade, such as a study on the children of migrant workers, an international campaign on the main obstacles to the full eradication of racism and *apartheid*, and an effort to secure universal accession to the International Convention on the Elimination of All Forms of Racial Discrimination. That gave some idea of the scope and importance of the tasks for the coming three years. Fulfilment of the action planned since 1983 depended on resources, however, and the continued inadequacy of funds was a serious setback to the operation of the competent bodies, such as the Committee on the Elimination of Racial Discrimination, which had once again had to cancel one of its sessions. It was vital for States parties to shoulder their financial responsibilities. The situation of the Trust Fund for the Programme for the Decade of Action, maintained

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(Miss Bach-Tobji, Tunisia)

by voluntary contributions, was little better. She was happy to announce that the Government of Tunisia had recently contributed to the Fund and she now made a friendly appeal to all States to play their part.

45. The right to self-determination, a vital aspect in combating racism, continued to be violated. The international community welcomed the independence of Namibia, whose people had regained their right to self-determination, but in the Arab territories of Palestine the repressive Israeli practices continued and intensified, as could be seen from the barbaric massacres at Gaza and Jerusalem, in violation of human rights. The heroic *intifadah* was a daily reminder that only a just and global settlement of the Palestinian question could end the threat to peace and security in that part of the world.

46. The Gulf crisis was also a matter for concern. In a statement to the General Assembly on 25 September, the Minister for Foreign Affairs of her country had stated Tunisia's position, namely that all civilians detained in Iraq and Kuwait must be freed and the Iraqi forces withdrawn from Kuwait. Tunisia favoured a peaceful and negotiated solution to the crisis and was confident that the United Nations could fulfil its task of preserving peace, as it had done in other situations.

47. Miss BOTERO (Colombia) said that the total unconditional eradication of racism and all forms of racial discrimination, in particular *apartheid*, was a matter of priority for her country, which supported sanctions against the Pretoria Government. Her delegation urged Member States to meet their financial commitments so that the Committee on the Elimination of Racial Discrimination would have the means to carry out its task.

48. Colombia was preoccupied with the problems of indigenous people and migrant workers and was ready to play its part in the International Year of the World's Indigenous Peoples in 1993. In particular Colombia would like to make available its experience in dealing with those communities, having an indigenous population of nearly half a million, for whose protection it had provided extensive legislation, based on the principle of strengthening their cultural identity and preserving their political, economic and social values. The Government believed that indigenous people should enjoy the same rights and opportunities as other citizens and in Colombia they had their own land, where they could pursue their own cultural, social and other activities. They had a measure of autonomy, having the right to set up their own organizations, elect their own authorities and establish their own regulations in accordance with their traditional customs. Their authorities were competent to deal with minor disputes and to negotiate with State representatives on education, health and other services.

49. Her delegation hoped that during the current session the Committee would be able to recommend the draft International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families to the General Assembly for adoption by consensus. Migration involved millions of people and affected a large number of States in the international community.

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(Miss Botero, Colombia)

50. Colombia was also concerned about the question of the self-determination of peoples and welcomed the independence of Namibia. It supported the Security Council resolutions on the current situation in the Gulf. On the question of Palestine, Colombia supported Security Council resolutions 242 (1967), 338 (1973) and 465 (1980) and was in favour of an international Middle East peace conference under United Nations auspices, in which Palestine would participate on an equal footing with the other parties. Colombia also supported United Nations efforts to solve the conflict in Cambodia.

51. Her delegation welcomed the report on mercenaries by the Special Rapporteur, Mr. Ballesteros. The International Convention against the Recruitment, Use, Financing and Training of Mercenaries was an important step forward. Colombia was particularly concerned about the involvement of mercenaries in drug trafficking and in acts against the constitutional stability of States. It hoped that the Convention would also take other mercenary activities into account and include the element of nationality in typifying mercenary activities.

52. Mr. PEREIRA (Panama) said that his country had always opposed *apartheid*. As a cosmopolitan country, open to all races and cultures, and by reason of its geographical and historical circumstances, sectarianism was alien to its national interest and policy.

53. The recent changes in the policy of the South African Government were largely the result of concerted world action, within and outside the United Nations, but also the result of the interdependence of a multiracial, multicultural world and the admirable fight of the black South African people. His Government believed in the sincerity of the South African Government, but good intentions were not enough. His Government would therefore maintain its commitment to sanctions against South Africa until *apartheid* had been completely eliminated.

54. The United Nations action on *apartheid* marked a new departure in its competence. It had overridden the traditional barriers of national sovereignty and no one had objected. Even South Africa had not abandoned the United Nations, and that was a positive attitude.

55. The path set by the United Nations action in the case of *apartheid* was relevant also to the Cambodian problem which was a matter of the peace of the whole of South-East Asia. There was also the problem of a just solution to the problem of Palestine and the Palestinians. His Government was in favour of a Middle East peace conference and supported the Security Council and General Assembly resolutions on the need for a peaceful solution for the whole region.

56. At the present historic juncture in world affairs, he wished to emphasize two points. In the first place, condemnation of military assistance to countries which rejected the fundamental principles of the United Nations should not be limited to South Africa. Wherever military power was increased to sustain political power, the United Nations must be on the watch against other forms of internal *apartheid*, contrary to the popular will. The traditional notion of disarmament must be

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(Mr. Pereira, Panama)

brought up to date to include control of the manufacture, export and marketing of weapons. Secondly, all intolerance, whether racial, political or religious was unacceptable to the international community. Co-existence in a tolerant and pluralist society was the only way to ensure the enjoyment of human rights, guaranteed by the United Nations. His Government was committed to respect for those basic rules without which there would never be stable peace nor internal or external security in South Africa or anywhere else.

The meeting rose at 12.55 p.m.

UNITED NATIONS
General Assembly
FORTY-FIFTH SESSION
Official Records

THIRD COMMITTEE
7th meeting
held on
Monday, 15 October 1990
at 3 p.m.
New York

SUMMARY RECORD OF THE 7th MEETING

Chairman: Mr. SOMAVIA (Chile)

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The meeting was called to order at 3.10 p.m.

AGENDA ITEM 88: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (continued) (A/45/552)

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1. Mr. SOTIROV (Bulgaria) said that his country had repeatedly denounced violations of the human ideals enshrined in the Charter of the United Nations and, in particular, the system of *apartheid* prevailing in South Africa, which constituted an institutionalized form of racism and a textbook example of the violation of human rights. His delegation therefore welcomed the changes which had taken place in South Africa as a result of the new trends in international relations, based on a determination to resolve conflicts by political means: the legalization of the native population's political organizations, the decision to free certain political prisoners and the beginning of the dialogue between the Government and the African National Congress. Those measures were, however, doomed to failure if they did not strike at the economic, political and legal foundations of the *apartheid* system and lead to its complete elimination. His country therefore reiterated its commitment to maintain pressure on South Africa until there was evidence of irreversible changes. It would continue to support United Nations activities designed to end the system of *apartheid* and establish a united, democratic and non-racial State, and would applaud every concrete step taken to that end by the Government of South Africa.

2. His country welcomed the establishment of a free and independent Namibia. The United Nations had resolved that problem with resounding success and proved its ability to perform a very difficult mission - that of guaranteeing the Namibian people's rights to self-determination and independence.

3. The question of realization of the Palestinian people's right to self-determination had yet to be resolved. His country was of the view that the time had come to take a broad spectrum of bilateral and multilateral measures, with active United Nations participation, in order to settle the issue. In that connection, he was seriously concerned by the escalation of tension in the Middle East following Iraq's aggression against Kuwait, which constituted an outrageous

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violation of the principle of self-determination. The declared annexation of Kuwait was illegal and invalid, and Iraqi troops must withdraw from Kuwaiti territory in order for that country's sovereignty to be restored.

4. The bodies responsible for monitoring the implementation of international human rights instruments such as the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of *Apartheid* played an important role in international efforts to guarantee the protection of human rights and fundamental freedoms, particularly so in the case of the Committee on the Elimination of Racial Discrimination. It was therefore worrying that, 20 years after its establishment, that Committee should continue to face financial problems. As a result of an administrative error, his country was one of those States which had failed to pay its contributions to the Committee; that error had subsequently been corrected.

5. His country was concerned by the continuing recurrences of racism and racial discrimination in different parts of the world, as well as by the resurrection of old theories and practices based on claims of racial and national superiority. It would continue to contribute actively to efforts by the United Nations to eradicate such disgraceful phenomena.

6. Mr. ZAWACKI (Poland) said that racism and racial discrimination constituted denials of basic human dignity, leading in many cases to human rights violations such as torture, detention or illegal execution, of which millions of people in many different countries continued to be victims. The eradication of those loathsome practices - which had for over 40 years been a subject of debate in the United Nations, though with far from satisfactory results - was therefore an urgent necessity of the times and required a unanimous effort on the part of the international community.

7. It could not be denied, in the specific case of South Africa, that encouraging changes were taking place: the Government's commitment to abolish *apartheid*, the release of Nelson Mandela and other political prisoners, the legalization of several anti-*apartheid* organizations, the lifting of the state of emergency in much of the country and the initiation of a dialogue between the Government and the African National Congress. His delegation welcomed those changes because it wished to see South Africa become a united, democratic and non-racial State.

8. His country, which fully supported the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, believed that maximum publicity must be given to efforts to combat racism and that there should be better co-ordination in that respect among the various organs and organizations of the United Nations. It therefore commended the decision by Mr. Jan Martenson, Co-ordinator for the Second Decade, to convene an inter-agency consultation at Geneva in May 1990 and endorsed the idea of convening a further meeting in early 1991. His delegation also welcomed the comprehensive and detailed report of the Secretary-General on implementation of the Programme of Action, as well as the study prepared by the Special Rapporteur, Mr. Asbjorn Eide, on the

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(Mr. Zawacki, Poland)

achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination. It agreed that the strengthening of national legislation should continue to be one of the priorities in that context and therefore hoped that the first draft of model legislation prepared by the Secretariat would soon be distributed to Governments.

9. The complete eradication of racism, racial discrimination and *apartheid* also depended on universal ratification and strict observance of the pertinent international conventions. The work of the Committee on the Elimination of Racial Discrimination was of particular importance and he therefore regretted that, despite the repeated appeals of the Secretary-General and of the Committee itself, the Committee's financial problems had not been resolved, leading to cancellation of its 1990 spring session. He therefore appealed to States Parties to pay their contributions in accordance with the provisions of the Convention and endorsed the recommendations contained in Commission on Human Rights resolution 1990/25, with a view to identifying a permanent solution to those financial difficulties.

10. Although the right of peoples to self-determination was generally accepted, millions of people were deprived of it. The most recent example was the brutal invasion, occupation and unlawful annexation of Kuwait by Iraq, which constituted a flagrant violation of the Charter of the United Nations and of the fundamental principles and norms of international law. Poland condemned that aggression and called for the immediate, complete and unconditional withdrawal of foreign troops from Kuwait and for the restoration of Kuwait's sovereignty and territorial integrity under the authority of its legitimate Government.

11. There would be no peace and stability in the Middle East without settlement of the Palestinian problem, and for that reason Poland supported the right of the Palestinian people to self-determination, to decide their own future and to establish an independent State within the framework of a peace settlement for the Middle East, on the basis of the Charter and the relevant United Nations resolutions, which would guarantee all countries of the region, including the State of Israel, safe and recognized boundaries.

12. Regarding the issue of Cambodia, Poland welcomed the progress being made towards a comprehensive settlement there and supported the framework agreed to by the five permanent members of the Security Council and the agreement among Cambodians achieved in September to accept that framework as a basis for future negotiations and to establish a supreme national council.

13. In Afghanistan there was need for an intra-Afghan dialogue in order to establish a broad-based government in which all segments of the population were represented. The delegation of Poland was glad to note that the Namibian people had finally won their right to self-determination and independence through a decolonization process in which the United Nations had shown its ability to assist political transitions to independence.

(Mr. Zawacki, Poland)

14. The right to self-determination went hand in glove with the inalienable right of all peoples and individuals to participate fully in the political process and to chose their governments and social systems freely. That was a right which now, after decades of totalitarian rule, Poland as a nation and Poland as a State were enjoying once again.

15. Mr. KOTEY (Ghana) commended the study conducted by Mr. Asbjorn Eide, Special Rapporteur on the achievements made and the obstacles encountered during the First and Second Decades to Combat Racism and Racial Discrimination because of the useful information and proposals it contained, in particular the proposal that special attention should be paid to all forms of education with a view to reducing the prejudice on which racism and racial discrimination were based. In spite of the generalized expression of revulsion at racial prejudices, the whole world continued to experience various forms of racism and racial discrimination, which had become the most persistent cause of heinous crimes and of the denial of their basic rights to individuals and peoples.

16. The change experienced recently in international relations as a result of the end of the cold war had been accompanied by hopes that it would be easier to resolve conflicts by negotiation, particularly conflicts caused by violations of human rights and fundamental freedoms, as shown by the recovery of freedom, independence and equality by Namibia, which was now a Member in full standing of the United Nations.

17. With regard to South Africa, he said that even if the positive measures adopted by the President of that racist republic and his commitment to abolish the system of apartheid and introduce vital social reforms and the commitment to the process of dialogue of the leaders of the African National Congress were recognized, it could not be said that the struggle of the black people of South Africa was nearing its end. He noted an acceleration of resistance on the part of white right-wing groups, which were rallying and forming paramilitary units in opposition to any modifications of apartheid. As stated by Mr. Enrique Ballesteros the Special Rapporteur on the issue, in paragraph 113 of his report, "a mercenary element in these right-wing paramilitary units cannot be ruled out" (A/45/488). Mr. Mandela, for his part, had warned the world concerning the possibility of the emergence of armed groups of the RENAMO type, which had operated in Mozambique, with the full blessing of the security of the South African security forces. Moreover, attempts to manipulate blacks in South Africa to stir up conflicts between the country's different ethnic and political groups were also increasing.

18. With regard to the report of the Committee on the Elimination of Racial Discrimination (A/45/18), he congratulated the members of the Committee for the work they had done in the face of numerous difficulties. The year 1990 marked the twenty-fifth anniversary of the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination and also the twentieth anniversary of the establishment of the Committee. He was concerned about the financial crisis experienced by the Committee, which had forced it to cancel some of its scheduled meetings. All States, particularly those in arrears, should

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(Mr. Kotey, Ghana)

honour their obligation under the Convention. The delegation of Ghana endorsed the recommendation contained in paragraph 10 of resolution 1990/25 adopted by the Commission on Human Rights on 27 February 1990 with regard to the establishment of a "contingency reserve fund".

19. With regard to agenda item 103, he reiterated his delegation's belief that all countries and peoples had the inalienable right to determine their own destiny without outside interference and its belief in the legitimacy of the struggle of peoples for self-determination, independence, territorial integrity, national unity, independence and freedom from all forms of colonial, foreign or racial domination.

20. Ghana believed in the peaceful settlement of disputes, as provided for in the Charter of the United Nations. It could not therefore accept acts of aggression. In view of the grave threat posed by the crisis in the Gulf to international peace and security, his delegation again called upon Iraq to unconditionally withdraw its forces from Kuwait and settle its differences with that country through peaceful negotiations and appealed to all concerned to exercise maximum restraint, taking the path of dialogue and diplomacy.

21. Mr. PIRIZ BALLON (Uruguay) said it was regrettable that 45 years after the nations of the world had committed themselves to promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, it should be necessary to meet together to consider questions such as racism and racial discrimination. An institionalized régime based on discrimination (the apartheid régime of South Africa) still existed and remained basically intact in spite of recent signs of change on the part of the South African authorities. For that reason, Uruguay supported the activities engaged in by the United Nations within the framework of the Second Decade to Combat Racism and Racial Discrimination and the ideas expressed by the Special Rapporteur in his proposal that a plan of concerted action should be formulated within which various agencies could implement those measures for which they were best prepared.

22. Because education and information were of special importance in the effort to eliminate any expression of racial hatred, Uruguay supported the organization of international and regional seminars and activities undertaken within the framework of the World Public Information Campaign for Human Rights. It attached equal importance to the strengthening of national legislation and institutions and therefore took an interest in the preparation of a legislative model which would serve as guidelines for Governments in the formulation of laws against racial discrimination and for the future preparation of a handbook of procedures to be followed by victims of racism and racial discrimination. For quite some time, Uruguayan legislation had provided for sanctions against those who promoted, established, organized or directed entities designed to stir up or plant the seeds of racial struggle or hatred. That legislation had been strengthened by incorporating in it the provision that racial, religious, ethnic or social hatred or contempt in the commission of a crime was regarded as an aggravating circumstance.

(Mr. Piriz Ballon, Uruguay)

23. With regard to agenda item 91, he expressed concern at the financial situation of the Committee on the Elimination of Racial Discrimination, which had been forced to cancel its spring session, and appealed to Member States to fulfil their outstanding financial obligations so that the Committee could continue its work.

24. Turning to agenda item 103, he welcomed the happy culmination of the independence process in Namibia and reaffirmed his delegation's full support for the principle of self-determination of peoples. In that connection, his delegation was disturbed by the persistence of colonial and neo-colonial situations, particularly those in Western Sahara and the Middle East, which threatened international peace and security.

25. Mr. ENDREFFY (Hungary) said that his country attached great importance to the work of the Committee on the Elimination of Racial Discrimination and co-operated fully with that body in fulfilling its reporting and financial obligations. It was unfortunate that the Committee had had to cancel some of its scheduled meetings because a number of States had not paid their contributions. Hungary was now among the 14 countries that recognized the Committee's competence under article 14 of the Convention to receive and consider communications from individuals or groups of individuals who claimed to be victims of a State party's violation of any of the rights set out in the Convention.

26. Hungary considered the apartheid régime in South Africa to be the most abhorrent form of racial discrimination; it maintained a firm and consistent stand against that régime and would condemn it in all international forums. At the same time, his delegation recognized that important changes had taken place in South Africa recently, such as the release of political prisoners and the legalization of previously outlawed political parties and organizations, which made it possible to believe that the South African Government did indeed intend to abolish apartheid. The recent outbreak of violence threatened that process and was therefore all the more regrettable. His delegation appealed to all concerned to do their utmost to bring the violence to an end so that the dialogue might culminate in fruitful negotiations on the creation of a united, non-racial and democratic State in South Africa.

27. Discrimination based on race, colour or national or ethnic origin led to tensions at the national and regional levels; that was certainly true in the case of human rights violations and discrimination where national minorities were concerned. His delegation endorsed the statement made by the Under-Secretary-General for Human Rights on the need to promote a peaceful and constructive solution of problems involving minorities. Thus, that issue must be recognized as an integral part of universal human rights and, like any other area of human rights, must be subject to codification, standard-setting and continuous control and monitoring.

28. He drew attention to the work of the Commission on Human Rights and the Working Group, which had concluded its first reading of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic

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(Mr. Endreffy, Hungary)

minorities, and to the Human Dimension Conference of the Conference on Security and Co-operation in Europe, which had held its second meeting at Copenhagen in June 1990, where it had considered questions relating to national minorities separately.

29. With regard to agenda item 103, his Government resolutely condemned violations of the fundamental right to self-determination, such as the invasion and occupation of Kuwait by Iraq. Hungary had repeatedly demanded the unconditional withdrawal of Iraqi troops and the restoration of Kuwaiti sovereignty, and fully supported Security Council resolutions aimed at ending the aggression and eliminating its consequences. The Palestinian people was also denied its right to self-determination. The tragic incident which had occurred the previous week at Jerusalem, resulting in the loss of Palestinian lives, showed that there was an urgent need for a solution to the Palestinian problem within the framework of a comprehensive, just and lasting settlement based on the relevant resolutions of the United Nations.

30. Mrs. RAKOTONDRAMBOA (Madagascar) said that despite considerable scientific and technological progress, reverberations of demonstrations and uprisings came from all over the world, followed by repression and torture inflicted by reason of State or under other pretexts. Behind every act of rebellion lay the desperate determination of human beings whose most fundamental rights had been denied. At the core of every act of repression lay a refusal by the privileged to yield the advantages of their position. Discrimination was latent everywhere, and its manifestations were generally the symptom of economic problems. The difficulties currently besetting the world economy and the obvious manifestations of racism supported the conclusion that economic development and respect for human rights were inseparable. It was in that spirit that the Director-General for Development and International Economic Co-operation had stressed the importance of renewing the link between economic, social and human rights issues. That interrelationship had become evident in Africa and, to that end, the region's Heads of State and Government, meeting at Addis Ababa at the twenty-sixth ordinary session of the Organization of African Unity, had decided to establish an African Commission on Human and Peoples' Rights within the framework of the African Charter on Human and Peoples' Rights, which had entered into force in 1986.

31. During the decade, it had become clear that the right of peoples to self-determination was the transposition of the fundamental rights of the individual to the collective plane; just as the denial of human rights impeded a country's economic development and generated instability, the denial of the right of peoples to determine their own destiny impeded friendly relations and co-operation between States and constituted an obstacle to international peace and security. The situation in the Middle East offered an eloquent example of that. The recent deterioration in that situation indicated that it was a matter of urgency, for Palestine and for Israel, that a peaceful solution should be found that would enable them to live in peace and security within safe and recognized borders. Under those circumstances, her delegation supported the convening of the International Peace Conference on the Middle East, under the auspices of the United

Nations, with the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization.

32. The unspeakable invasion of Kuwait by Iraq covered virtually all aspects of the items before the Committee. Her delegation urged the United Nations, whose raison d'être was to save succeeding generations from the scourge of war, to redouble its efforts, which had been commendable to date, to find a peaceful solution to that problem.

33. A few rays of hope shone on the current scene: Namibia was now part of the United Nations as a sovereign State and South Africa seemed to want to take advantage of the thawing of East-West relations by eliminating the banning of anti-*apartheid* parties, releasing Nelson Mandela and opening the National Party to all races. However, the foundations of *apartheid* still stood, and radical and irreversible change had yet to take place. Unfortunately, killings between ethnic groups were hampering negotiations. Her delegation called upon the representatives of the black majority to bring their positions closer together so as to avoid falling into the hands of those who sought to divide them.

34. Madagascar was closely following the situation in Western Sahara, and took note with satisfaction of the sending to the Territory of the technical mission to study preliminary conditions for holding the referendum. Her delegation trusted that the people of Western Sahara would soon be able to determine their future freely. The situation in Cambodia also had positive aspects. Madagascar hoped that a speedy solution to the question would enable the Cambodian people to heal their wounds and pursue economic reconstruction.

35. Her delegation had considered the various reports before the Third Committee. Among the recommendations made in pursuance of the objectives of the two Decades to Combat Racism and Racial Discrimination, Madagascar supported, in particular, the strengthening of the co-ordinating function of the Under-Secretary-General for Human Rights and the allocation of more resources to the Centre for Human Rights; monitoring by all States to ensure that organs responsible for ensuring compliance with the law gave equal protection to every social group; and the use of education to eliminate social prejudice and as a means whereby minorities, indigenous peoples and migrant workers could integrate into the social and economic life of the countries in which they lived without losing their cultural identity in so doing. Emphasis should be placed on the fundamental role of information and the mobilization of public opinion in the struggle against racism and racial discrimination.

36. Mr. MOORE (United States of America) said that 27 years earlier, on 20 November 1963, in the Declaration on the Elimination of All Forms of Racial Discrimination, the United Nations General Assembly had solemnly affirmed "the necessity of speedily eliminating racial discrimination throughout the world, in all its forms and manifestations, and of securing understanding of and respect for the dignity of the human person". On the unanimous adoption of the Declaration, his delegation had welcomed it as an appropriate statement of world opinion, and as

(Mr. Moore, United States)

a universal denunciation of racial discrimination in any form, the injustice of such practices and the ignorance which lay behind them. His delegation had voted in favour of the Declaration because it expressed beliefs which were part of the very fabric of society, because it called for action which was long overdue and because it seemed to give voice and consensus to the conscience of humanity. The United States delegation still felt the same way.

37. The Government and people of the United States of America had then been engaged in a massive effort to eliminate the disease of racial discrimination and prejudice from their society. His country had subsequently lived through a difficult period of social turmoil and violence. It had made substantial progress, speedily in some areas and regrettably slowly in others. Vestiges of racial discrimination and prejudice still remained, and the people of the United States remained firmly committed to rooting out that evil.

38. The United States fully supported the original objectives of the first Decade to Combat Racism and Racial Discrimination, proclaimed in 1973. His Government had ceased to participate in the debate or adoption of resolutions relating to the Decade in 1975, when the General Assembly had adopted resolution 3379 (XXX). The false and repugnant characterization of zionism in that resolution had tainted the first Decade and continued in the second, in which the United States was similarly not participating. That stain should be removed as speedily as possible.

39. The past year had seen significant developments which his Government hoped would lead to the speedy elimination of the most abhorrent form of racial discrimination: *apartheid* in South Africa. The United States was unequivocally opposed to *apartheid* and firmly committed to promoting negotiations between the South African Government and representative black leaders, aimed at achieving a non-racial and democratic South African society. The United States totally rejected South Africa's system of race-based, minority rule. Following the approach taken in the final Declaration adopted by the General Assembly at its sixteenth special session, the United States reaffirmed the right of all peoples, including the people of South Africa, to determine their own destiny and to choose the system of government under which they wished to live. The United States remained committed to doing everything possible to assist the people of South Africa in achieving that objective. His Government believed that the parties had embarked on an irreversible process of change, while recognizing that further steps needed to be taken. The Government of President de Klerk had lifted the ban on political parties, allowed peaceful protests, freed political prisoners and agreed with the African National Congress on procedures to release all others, lifted the state of emergency everywhere but in Natal, removed most restrictions on the press and repealed the Separate Amenities Act. The ruling National Party had committed itself publicly to majority rule, the principle of one man, one vote, and equal economic, political and social rights for all South Africans. The United States called upon all countries to support the negotiating process and encourage all South African parties to utilize the historic opportunity to achieve a peaceful transition to a non-racial and democratic South Africa.

(Mr. Moore, United States)

40. Through the steadfast efforts of the United Nations, the people of Namibia had at long last exercised their inherent right to self-determination through free and fair elections. There were high hopes that Namibia would continue to develop into a strong multiracial, multiparty democracy. Nevertheless, there remained all too many situations in which peoples were denied the opportunity to exercise their right to self-determination. The United States did not recognize the forcible incorporation by the Soviet Union of the three Baltic states of Estonia, Latvia and Lithuania into its territory in 1940. His Government supported the efforts of those three states to attain self-determination peacefully. A systematic dialogue must be pursued so that the aspirations of the Baltic peoples could be achieved. The United States deeply regretted the continuing violence in the territories occupied by Israel. The objective of an Arab-Israeli peace process could be achieved through direct negotiations based on Security Council resolutions 242 (1967) and 338 (1973). Such negotiations must involve withdrawal by Israel from territory occupied in 1967, the security and recognition of the State of Israel and the other States of the region, and the granting of legitimate political rights to the Palestinians. The process should begin by granting autonomy to Palestinians in the West Bank and Gaza in a manner acceptable to Palestinians, Israel and Jordan. Such a formula provided ample scope for Palestinians to achieve their full political rights, as well as ample protection of Israel's security.

41. The people of Myanmar had exercised their right to determine their form of government in national elections held on 27 May. An overwhelming majority had voted in favour of a return to multiparty democracy. Yet the ruling military council was delaying transfer of power to a civilian government. Opposition leaders remained prisoners and no date had been set for convening the National Assembly. His delegation called upon the council to honour the election results, since, otherwise, the outcome could be popular demonstrations, disorder and further military repression. In Cambodia, sustained diplomatic efforts by the five permanent members of the Security Council had resulted in a framework agreement for a comprehensive settlement with a central role for the United Nations. The agreement had been accepted by the four Cambodian parties the month before in Jakarta and had also served as a basis for the establishment of a Supreme National Council. The United States believed that the agreement reflected the new spirit of the post-cold war era, with greater reliance on the United Nations to help resolve regional conflicts. The United States hoped that all countries would support the agreement, which provided the most promising basis for a just and durable settlement of the tragic Cambodian conflict.

42. Even though the armed occupation of Afghanistan had ended in 1989, the people of Afghanistan were still struggling for self-determination. Continued fighting, including factional in-fighting, and the millions of mines left behind by the occupying forces were preventing 5 million refugees from returning to their native soil. The Kabul régime must be replaced by a legitimate, stable and broadly-based government that truly represented the Afghan people. The United States supported efforts, including the good offices of the Secretary-General, to formulate a genuine and comprehensive political solution to the conflict that would culminate in self-determination. The Afghan people must be given the opportunity to

(Mr. Moore, United States)

determine their own form of government and choose their economic, political and social system free from outside interference.

43. Over two months earlier Iraq had invaded, occupied and then annexed Kuwait. The United States had joined with other Members of the United Nations in calling, in the strongest terms, for the immediate withdrawal of Iraqi forces from Kuwait and reinstatement of the legitimate Government of that country. The United Nations stood unanimous in its demand that Kuwait's right of self-determination should be restored.

44. Mr. ARAMBARRI (Argentina) said that the Third Committee's discussion of the items currently before it and the action it had taken on them had produced important results, which were considerable if one compared the current situation with that of previous decades. Nevertheless, both the discussion and the action taken clearly demonstrated that much remained to be done to achieve the final goal: the complete elimination of racism and racially motivated discrimination. All forms of racism were repudiated by the Charter of the United Nations, the Universal Declaration of Human Rights, the human rights covenants and, in more specific terms, the International Convention on the Elimination of All Forms of Racial Discrimination. One way to combat racism was education, understood as a formative system for human beings, intended to inculcate in them an awareness of the harmful consequences of racism for mankind. In that regard, the United Nations had accomplished a great deal. Nevertheless, that process should be intensified with a view to finding more effective ways of dealing with situations in which there was great resistance to change. The strengthening of world public opinion against racism could be considered one of the most important achievements of the first Decade for Action to Combat Racism and Racial Discrimination. Argentina believed that the Second Decade's emphasis on the aberrant system of *apartheid* was justified. That system was so alien to human nature that it could not be changed but must be completely eliminated. Its persistence to the present day was an affront to the collective conscience of mankind. Argentina hoped that the Government of South Africa would stop turning a deaf ear to international public opinion and begin to negotiate in earnest with the leaders of the South African majority in order to arrive at a speedy and peaceful solution to the question of South Africa. The South African authorities must understand that only a racially integrated society in which all citizens had the same rights, regardless of their colour, would guarantee a future of peace and prosperity in southern Africa.

45. Other forms of discrimination, more subtle than *apartheid*, persisted in the world and at times were based on economic differences which seemed to convey a feeling of superiority of the strong over the weak. One example was the discriminatory treatment of migrant workers in many countries, which made use of their labour but did not guarantee them full enjoyment of their human rights. Although, in many cases, such discriminatory treatment was not the result of deliberate policies in those countries, the authorities there should nevertheless take appropriate steps to change the labour practices which fostered such discrimination.

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(Mr. Arambarri, Argentina)

46. In 1990, the General Assembly would celebrate the twenty-fifth anniversary of its adoption of the International Convention on the Elimination of All Forms of Racial Discrimination, which was the United Nations international instrument with the largest number of States parties. The strict implementation of the provisions of the Convention would ensure equality and harmony. Argentina, which was a party to the Convention, scrupulously implemented those provisions. The Committee on the Elimination of Racial Discrimination also played a major role in ensuring the implementation of the Convention. Argentina attached great importance to the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, to which it was also a party, and it called upon those States which had not yet done so to ratify or accede to that Convention.

47. Argentina had supported the decolonization process since its inception and was convinced that the success of that process was one of the principal achievements of the United Nations. The United Nations should continue its efforts until colonialism was completely eliminated. In that regard, Argentina welcomed the birth of Namibia as an independent State; that event had put an end to one of the most troubled and unjust colonial situations in recent history.

48. With respect to the current situation in the Persian Gulf, the Government of Argentina condemned Iraq's aggression and, in keeping with the relevant Security Council resolutions, demanded the immediate and unconditional withdrawal of Iraqi troops from Kuwait and the re-establishment of the legitimate Government of that country. With regard to the question of Palestine, the Argentine Government condemned any action which violated the human rights of the Arab and Palestinian population in all the occupied territories and underscored the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War. Argentina supported the convening of an international conference on the question of Palestine under United Nations auspices. The right of the Palestinian people to self-determination must be respected, since that would contribute to the achievement of peace in the Middle East and would help to guarantee the right of all States in the region to exist within secure and internationally recognized frontiers.

49. Ms. AL-HAMAMI (Yemen), referring to agenda item 88, said that the strengthening of international peace and security did not allow any complicity or co-operation with South Africa, since that would be a violation and a negation of the United Nations resolutions on the subject.

50. With respect to the question of Palestine, she noted that Israel's policy of repression in the occupied Arab territories was demonstrated by the suffering of the children of the *intifadah*, who lacked the means to oppose that policy. The slaughter of Arabs in Jerusalem on 8 October 1990 was proof of that repression and Israel's violation of human rights. The Arab population of the occupied territories should be treated humanely. The right to self-determination and respect for human rights were the corner-stone of the United Nations, and the Third Committee must ensure that they were upheld.

51. Mr. CENKO (Albania) said that the trend towards greater democracy in international relations reaffirmed the legitimacy of the struggle of peoples to achieve national independence, free themselves of the colonial and neo-colonial yoke and foreign occupation and eliminate racism and discriminatory practices.

52. The principal objectives of the Second Decade to Combat Racism and Racial Discrimination had not been achieved, and millions of people continued to be victimized by discriminatory and oppressive racist practices, which violated the principles of international law. Nevertheless, peoples were redoubling their efforts, and they had achieved a measure of success in exercising their right to self-determination. History showed that territorial occupation was not the only means of domination. There were other well-known forms of domination which were achieved through the control of the flow of information, bank interest rates, commodity prices and the debt mechanism, as well as other similar practices, which formed the inventory of neo-colonialist methods of domination and exploitation. Vigilance must therefore be heightened and the struggle against colonialism, neo-colonialism, racism and racial discrimination must be intensified.

53. United Nations efforts to support the struggle of the peoples of southern Africa had reactivated the peace process in that region. In that regard, Namibia's achievement of independence had been a noteworthy event. The consolidation of that country's independence and the reaffirmation of its national unity and its overall development would help strengthen security in the region and would enable other African peoples to achieve their aspirations to liberty and independence.

54. Albania welcomed the constructive attitude adopted by the parties concerned with regard to the proposals by the Secretary-General for a settlement of the problem in Western Sahara and hoped that the referendum on self-determination would be held under the auspices of the United Nations. Albania shared the international concern about the continuing state of war in Afghanistan and supported the efforts undertaken in the search for a political and peaceful solution to the problem. The United Nations could play an important role and make an effective contribution to the peace process. Albania also supported the process under way to bring about a peaceful settlement of the Cambodian problem which took into account the vital interests of that people.

55. Those positive and promising achievements in the international arena had been overshadowed by Iraq's occupation and annexation of Kuwait. Albania denounced that invasion as a serious threat to all countries in the region. Iraq must end its occupation of Kuwait and respect the resolutions adopted by the Security Council. It must withdraw immediately and unconditionally from Kuwait since its military presence had a negative impact on the already serious situation in the Middle East and was detrimental to the interests of the Palestinian people.

56. That situation should not take precedence over the question of the Palestinian people, who continued to have a legitimate right to its own homeland and its own State. Albania condemned the horrible massacre perpetrated against the Palestinian people and continued to support firmly the just cause of the Palestinian people.

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(Mr. Cenko, Albania)

He called for an end to those criminal activities, which were the direct result of Israel's occupation of the Arab and Palestinian territories. Unless that key problem was solved, there could be no just and lasting solution to the crisis in the Middle East.

57. His country considered *apartheid* one of the most degrading manifestations of racism and racial discrimination and supported the measures taken by the international community as well as the struggle of the people of Azania. Albania denounced racism, racial discrimination and *apartheid* and did not maintain any relations with the racist régime of South Africa. His delegation expressed its concern at the lack of real progress towards the eradication of *apartheid* and the continuation of the oppressive measures, assassinations, detentions and maltreatment of persons in South Africa. Convinced that *apartheid* must be totally eliminated, his delegation did not believe that real changes had occurred in South Africa; accordingly, it was essential that the international community should continue to exert pressure on the anachronistic South African régime, which was attempting to perpetuate its rule through various manoeuvres.

58. Lastly, he pointed out that Albania would continue to contribute to the struggle against racism and racial discrimination by supporting the realization of the right of peoples to self-determination and independence and promoting the achievement of the ideals of peace, liberty and democracy; his country therefore would support the efforts and measures which the United Nations considered essential in that regard.

59. Mr. McLEAN (Canada) said that the international community had made valuable progress in recent decades in defining and codifying the rights of all individuals to equality, protection and development. It was essential for the United Nations to continue its efforts in that regard in the Second Decade to Combat Racism and Racial Discrimination. His delegation thanked the Secretary-General for his report on that subject and his leadership. He was also pleased to note that the majority of States had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and hoped that the States that had not yet done so would subscribe to those universal principles. Accession alone, however, was not sufficient. States must fulfil their obligation to inform the international community through their reports to the United Nations.

60. The international community could not be satisfied with mere words. Too many groups continued to suffer massive expulsion or displacement, continuous harassment and even physical elimination. Those tragedies weighed on the collective conscience of the countries in which they occurred and also shamed the international community as a whole. Each State had a clear responsibility to combat racism and promote harmonious relations among its citizens of various origins or cultures. In that connection, he referred to the unfortunate events that had occurred recently in Canada affecting aboriginal peoples in Oka and Kanhowake, in respect of which an investigation was being carried out to identify and prosecute the perpetrators.

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(Mr. McLean, Canada)

61. The Government of Canada intended to continue working with aboriginal peoples to improve their relations with the rest of Canadian society. Although the Canadian Constitution recognized equal rights for the entire population without discrimination of any kind, laws were not enough to eliminate racism and racial discrimination. For that reason, the United Nations must encourage popular education programmes about racism, which would make it possible to reduce misunderstanding among groups and combat racism more effectively.

62. The international community must not relent in its resolve to combat *apartheid*. South African society remained the only society structured entirely on the basis of racial discrimination. Canada had been greatly encouraged by the positive developments in South Africa in 1990 since they opened the way to negotiations on a non-racial democracy in that country. Canada fully supported the United Nations consensus on maintaining existing measures until there was clear evidence of profound and irreversible change.

63. The tragic communal violence in South Africa threatened those gains more than anything else. Although the Government had made some progress in providing effective and impartial action by the security forces, it still needed to investigate continuing allegations of complicity on the part of elements within those forces. Furthermore, the parties directly involved must settle their differences through direct dialogue and on the basis of political tolerance.

64. While the modalities for exercising the right to self-determination must be decided by the South Africans themselves, the General Assembly had rightly insisted that there could be no compromise on the principle of "one man, one vote"; and now President de Klerk himself had come close to accepting a similar electoral process, in which thousands of exiles must also participate. Canada, which was pleased at the gradual removal of the obstacles to their return, the organization of which had been entrusted to the Office of the United Nations High Commissioner for Refugees, had pledged substantial resources to assist that operation and looked forward to its early launching, with the full support of the South African Government, the liberation movements and international donors.

65. Namibia had recently given the world a shining example of self-determination and Canada was proud of its contribution to that process. Six months after independence, Namibia was a society committed to human rights and economic development. That showed South Africans that fundamental change could be achieved through a negotiated and a democratic process.

66. His delegation attached a great deal of importance to international efforts to combat racial discrimination. The work of the Committee on the Elimination of Racial Discrimination was essential to those efforts. For that reason, Canada and many other countries were very concerned at the Committee's ongoing financial problems, which had forced it to cancel some of its meetings and had prevented it from carrying out the planned review of its first 20 years of activities. With that in mind, the Commission on Human Rights, at its forty-sixth session, had accepted the proposal by Canada and other countries recommending the establishment

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(Mr. McLean, Canada)

of a contingency reserve fund to be used to finance meetings of the Committee when sufficient payments by States had not been received on time.

67. Mr. RODIONOV (Ukrainian Soviet Socialist Republic) said that the increase in the number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid was evidence of the effectiveness of those international human rights instruments.

68. Last year the international community and the United Nations had seen their efforts rewarded with the proclamation of the independence of Namibia, which had put an end to a régime and a policy based on racism; represented a triumph of the principles of the Charter of the United Nations and of international law; and constituted an effective contribution towards achieving the objectives of the Second Decade.

69. At the opening of the current session of the General Assembly, the Secretary-General, in presenting his report entitled "Study on the achievements made and the obstacles encountered during the Decades to Combat Racism and Racial Discrimination", had said that, in spite of some positive events which had occurred in South Africa, the basic political structures and practices of apartheid had not yet been dismantled, given the continuing existence of discriminatory legislation, which was the major obstacle to democratic reform in South Africa. Once again, the General Assembly had requested the South African régime to create without delay an environment conducive to negotiations. At that stage, the international community's task was to contribute to the eradication of apartheid through joint measures, the most effective of which was the maintenance of the sanctions until there were clear indications of irrevocable changes.

70. It was unfortunate that the Committee on the Elimination of Racial Discrimination, which was the monitoring body of the International Convention on the Elimination of All Forms of Racial Discrimination, had been having financial difficulties since 1986. According to the report of the Secretary-General (A/45/579), 67 of the 129 States parties were in arrears. The Ukrainian Soviet Socialist Republic, which paid its contributions punctually, urged all States to fulfil their financial obligations under the Convention.

71. Currently, the right of nations to self-determination was one of the most important principles of international law; his Government had consistently advocated the observance of that principle in international relations and had always viewed it as an indispensable condition for ensuring human rights in general and as an important factor in guaranteeing the internal and external security of States.

72. For many years, Israel's hindrance of the exercise by the Palestinian people of its right to self-determination had been a major source of tension in the Middle East. Evidence of that were Israel's massive violations in the occupied territories and the massacre of Palestinians on 8 October 1990 in Jerusalem. His

(Mr. Rodionov, Ukrainian SSR)

Government strongly condemned those actions and had consistently advocated a peaceful settlement based on collective efforts, in particular, the convening of a United Nations peace conference. It also endorsed the provisions contained in the note of the European Community countries, which had stressed that peace in the Middle East could not be achieved through a balance of terror, but through a just settlement based on negotiation.

73. Attention should be paid to the Non-Self-Governing Territories, which were still not free to decide their own futures. The Ukrainian SSR considered that the right of those territories to self-determination and independence should be guaranteed, in accordance with the Charter of the United Nations and with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

74. The Ukrainian SSR welcomed the adoption of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries since there was a clear link between the use of mercenaries and obstacles to peoples' exercise of their right to self-determination.

75. New impetus had recently been given to that principle in the Ukrainian SSR itself when its Supreme Soviet had adopted, on 16 July 1990, the Declaration on the State Sovereignty of the Ukraine. Section I, entitled "Self-determination of the Ukrainian nation", stated that the Ukrainian SSR, as a national sovereign State, should develop within its existing boundaries on the basis of the exercise by the Ukrainian nation of its inalienable right to self-determintion. The section also discussed the measures which would be adopted to defend and protect the Republic and to suppress any act of force against national statehood. The Declaration contained in addition a detailed legal discussion of issues relating to, inter alia, the sovereignty of the people, territorial jurisdiction, economy and culture, environmental safety and international relations. The Declaration further recognized the primacy of human values and the precedence of international law over the domestic law of States. Document A/45/500 outlined the position of his Government on the issues under consideration as well as including the text of the Declaration on the State Sovereignty of the Ukraine.

76. At the world's current stage of development, international relations should be based on the recognized principles of international law, including human rights and the inadmissibility of any form of racism, racial discrimination or any other type of domination.

77. Mrs. MULINDWA-MATOVU (Uganda) said that the principles of human rights and fundamental freedoms for all, the promotion of which was one of the basic roles of the United Nations, were enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights and were basic elements of international peace and security. Racism and racial discrimination constituted a flagrant violation of those rights; fortunately, the international community had recognized those actions as wrongs and had tried to eliminate them. One of the main weapons in that combat was the International Convention on the Elimination of All Forms of Racial Discrimination.

(Mrs. Mulindwa-Matovu, Uganda)

78. The Programme of Action for the Second Decade to Combat Racism and Racial Discrimination remained a courageous and well-conceived strategy to enhance and co-ordinate the struggle by States, international organizations and non-governmental organizations against racism and racial discrimination. The report by the Special Rapporteur, Mr. Eide, contained in document E/CN.4/Sub.2/1989/8 and Add.1, provided a deeper insight into the struggle and would in the future provide a basis for strengthening subsequent efforts. More emphasis should be placed on education programmes at all levels and on the elaboration of legislation at the national level to encourage the elimination of racial and cultural prejudices.

79. Her delegation noted with appreciation the report of the Committee on the Elimination of Racial Discrimination and regretted that it had been unable to hold its spring session because of financial constraints. In that connection, her Government urged Committee members to fulfil their financial obligations so that the Committee could carry out its mandate, while taking into account the difficulties of the developing countries.

80. Her delegation appreciated the proposal in paragraph 10 of Commission on Human Rights resolution 1990/25 concerning a contingency reserve fund, but felt that a longer-term solution could be found. Amendment of the provisions of article 8 (6) of the Convention might be considered so that the Committee, like other human rights bodies, could have a surer source of funding. The inclusion of Uganda among the countries in arrears should not be construed as a sign of lack of interest, but as an illustration of the aforementioned economic difficulties experienced by many developing countries; Uganda was currently adopting the necessary measures and payment would be made shortly. Her delegation also supported the recommendation for the provision of model reports in addition to the guidelines to facilitate the submission of periodic reports by States parties.

81. The policy of *apartheid*, initiated in 1946, had survived, to the chagrin of the United Nations and the international community, and was today the only institutionalized form of racism. Thanks to the imposition of sanctions and the continued isolation of South Africa, some signs of positive change had been witnessed, but the core of *apartheid* persisted through the application of laws such as the Internal Security Act and through institutions such as the Bantustan system. Uganda therefore re-emphasized the need to continue mandatory sanctions against the Pretoria régime and to guarantee the standards set by the United Nations Declaration on *Apartheid* and Its Destructive Consequences in Southern Africa.

82. The right of peoples to self-determination was one of the basic goals of the United Nations and the independence of Namibia in March was clear testimony of the ultimate and inevitable triumph of that right.

83. Her delegation noted with concern the reported incidents of the continued use of mercenaries as a means of violating human rights. All States should become parties to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

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(Mrs. Mulindwa-Matovu, Uganda)

84. Uganda reaffirmed the legitimacy of the struggle of the Palestinian people and its support for resolution S/RES/672 (1990) of 12 October 1990 and all previous resolutions reaffirming the need for a just and lasting solution to the Arab-Israel conflict. The recent invasion and occupation of Kuwait by Iraq was yet another violation of the right to self-determination and Uganda called for the withdrawal of Iraq from Kuwait in compliance with the relevant United Nations resolutions.

85. Mr. KHALIFA (Special Rapporteur), replying to delegates who wished to know the precise meaning of his statement that pressure against South Africa should be applied more vigorously, said that there should be no reduction in the measures adopted against South Africa nor any weakening in their application. Any breach in the sanctions wall as a result of the United Kingdom's decision on the early lifting of sanctions would render his work as Special Rapporteur meaningless. The position adopted recently by the United Kingdom undermined the collective commitment and the moral basis for preparing the list of enterprises and other companies giving assistance to South Africa. The list would lose its significance if inclusion in it failed to carry a moral condemnation. The United Kingdom's position compromised not only the maintenance of existing sanctions, but the possibility of increasing pressure on the South African Government in order to resolve the South African question once and for all by establishing a democratic and non-racial State. The Security Council could adopt more extensive measures to increase the pressure, as it had recently done in respect of another country. But if the international community showed any leniency towards South Africa and if its pressure was merely verbal condemnation, South Africa could with impunity maintain its yoke over the oppressed South African majority. There was a great deal of talk nowadays about a new international order that was emerging. But no one could talk about a new order while 22 million South Africans were suffering under the apartheid régime. The list of enterprises which collaborated with South Africa should therefore be maintained for a further year. But there would be no point in continuing to draw up the list if South Africa were no longer condemned and isolated.

86. Mr. RAVEN (United Kingdom) said that his delegation would be making a statement at a later meeting in which it would reply to the comments made earlier at the present meeting by the Special Rapporteur, Mr. Khalifa.

87. The position of the United Kingdom Government on trade with South Africa was well known. It had been explained in the United Nations on a number of occasions, as well as in the Third Committee. The United Kingdom Government's firm opposition to apartheid was also well known. Furthermore, the United Kingdom Government had not lifted its sanctions against South Africa. A large list of restrictive measures was still in force. The United Kingdom considered them still necessary to achieve the objective desired by the whole international community, namely, a united non-racial and democratic South Africa.

88. Mr. TIN (Myanmar), speaking in exercise of the right of reply, said that the delegation of Myanmar had listened carefully to the statement made by the representative of Italy on behalf of the countries of the European Economic

Community. According to that representative, the Community welcomed the fact that the people of Myanmar had exercised their democratic right to vote in the elections held in May of the current year and urged the Myanmar authorities to respect the results of the elections and transfer power to the representatives elected by the people.

89. The representative of Australia also had referred to Myanmar in his statement and had pointed out that the Australian Government had appealed to the Myanmar authorities to respect the results of the elections and transfer power to a civilian Government. Again, at the present meeting, the United States representative had made similar remarks.

90. The delegation of Myanmar warmly welcomed the kindly sentiments expressed by those delegations and their concern for the well-being of the people of Myanmar. However, the question of the elections in Myanmar did not come within the scope of the items now being considered by the Third Committee. When the Committee reached the items under which the matter in question should be raised, the delegation of Myanmar would make a detailed analysis of the situation in his country and the progress achieved in the transfer of power to the representatives elected by the people. It sufficed to state at the present time, that Myanmar was moving firmly and progressively towards the establishment of a democratic, stable and lasting régime.

91. Mr. JAUSHAN (Afghanistan), speaking in exercise of the right of reply, quoted one of the paragraphs of an article published in the *Washington Post* on 18 October, in which it was made clear that the United States was participating in the continued war in Afghanistan. The United States had provided the Afghan opposition with mass-destruction projectiles which were being used to kill hundreds of civilians. Instead of speaking on behalf of the Afghan people, it would be better for the United States to help to end the war in Afghanistan. Afghanistan fully supported the United Nations resolutions designed to find a solution to the problem of Afghanistan. Only the Afghan people had the right to decide what social and economic system they wanted in their country. The Government of Afghanistan had proposed the holding of free and just elections under the supervision of the United Nations and hoped that the United States, as a guarantor of the Geneva Agreement, would help to prepare the conditions for holding those elections.

The meeting rose at 6 p.m.

UNITED NATIONS
General Assembly
FORTY-FIFTH SESSION
Official Records

THIRD COMMITTEE
8th meeting
held on
Tuesday, 16 October 1990
at 10 a.m.
New York

SUMMARY RECORD OF THE 8th MEETING

Chairman: Mr. SOMAVIA (Chile)

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The meeting was called to order at 10.15 a.m.

AGENDA ITEM 88: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (*continued*) (A/45/552)

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1. *Miss BOUMAIZA* (Algeria) said that self-determination was the key to the enjoyment of all human rights. Those rights were meaningless to people subjected to foreign occupation or racial discrimination. At the first regular session of the Economic and Social Council in 1990, her delegation had expressed the hope that the release of Nelson Mandela and the discussions that had opened between the African National Congress and the South African régime would result in serious negotiations for the speedy and final abolition of *apartheid*. Unfortunately, however, the promising signs of change had proved no more than isolated acts designed primarily to distract the attention of the international community. The delay in pursuing the process started in May had encouraged confrontation and a resurgence of racial violence, which served the interests of those who wished to perpetuate the *apartheid* system. The international community must therefore continue its condemnation of *apartheid* and maintain sanctions against South Africa until *apartheid* had been totally eradicated.

2. The Palestinian people were subjected to foreign racist occupation, the Muslim and Christian communities in the occupied territory being denied the right to their cultural and religious differences. Actions such as the recent manoeuvres around the Saint-Jean hospice and the proposal to build a third temple in the mosque precinct provoked racist riots which often ended in massacres of civilian populations in occupied Palestine. Algeria believed that Israel's Zionist ideology, which fostered the supremacy of one people over other peoples for religious reasons, was racial discrimination and should be condemned by the international community.

3. Algeria, which had ratified all the international instruments against *apartheid* and racial discrimination, regretted that not enough countries had become parties to them, and that only 14 countries, including Algeria, had so far made the declaration under article 14 of the International Convention on the Elimination of

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(Miss Boumaiza, Algeria)

All Forms of Racial Discrimination. It was essential for all countries to reinforce the international legal system with a view to intensifying multilateral action against racial discrimination, especially in view of the lack of financial resources, which affected particularly the Committee on the Elimination of Racial Discrimination, whose sessions were being reduced for lack of funds.

4. Racism and xenophobia against migrant workers was on the increase in many host countries, particularly in Europe. The situation was a matter of considerable concern for the migrant communities of Algeria and the other Maghreb countries. The Governments of host countries must take appropriate measures to remove the causes of racial tensions and the conditions that favoured them, including the existence of ghettos. Her delegation appealed to the national authorities of those countries to strengthen measures to prevent racist acts by imposing systematic penalties, under their national legislation, on anyone guilty of incitement to hate and racist intolerance.

5. The use of mercenaries to prevent the exercise of the right to self-determination must also be denounced, as well as their use by certain States to destabilize other States and to stifle national liberation movements. In that connection she referred to the report by the Special Rapporteur, Mr. Ballesteros, contained in document A/45/488.

6. The Israeli occupation of Palestinian territories must again be condemned, with its savage repression of the Palestinian people, denying them their legitimate right to self-determination. Her delegation welcomed the new convergence of views, the recent consensus in the Security Council on the Gulf crisis, and the unanimous recognition of the inalienable right of the Palestinian people to set up an independent State on their own land and there to exercise that right.

7. Recent developments in Western Sahara, in particular the approval by the Security Council in its resolution 658 (1990) of the proposals for settlement by the acting President of the Organization of African Unity and the Secretary-General of the United Nations, together with the implementation plan, marked a significant step towards the organization of a referendum on self-determination for the Saharan people. She urged that the Plan should be given full support.

8. She welcomed the independence of Namibia, which showed that the principles set forth in the United Nations Charter were not Utopian: their effectiveness depended on the political will of the States Members of the Organization to work together to implement them.

9. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic) said that the achievements of the United Nations and its specialized agencies in combating racism were indisputable. The successful decolonizaton of Namibia demonstrated the enormous potential of the Organization and constructive co-operation by countries with different social and political systems. The international community, however, was still faced with the task of eliminating the most odious form of racial discrimination, *apartheid*. Unfortunately, in spite of certain encouraging reformist measures, the basis of the racist system in South Africa remained

(Mr. Ogurtsov, Byelorussian SSR)

unchanged. In view of the improved international climate and the emerging new world order based on morality and justice, there was reason to hope that a political solution would be found to bring about a united, democratic and non-racial society in South Africa.

10. The Byelorussian SSR advocated unswerving observance of the right of peoples to self-determination. The exercise of that right was a prerequisite for ensuring success in the United Nations efforts to maintain international peace and guarantee human rights. The freedom of peoples to select their own path of development was a fundamental basis for an interdependent world. Recognition of freedom of choice as a legal norm was essential in order to promote the observance of human rights and the free and all-round development of peoples. Guaranteeing the right of peoples to self-determination and freedom to choose one's path of development was directly linked to the search for ways to settle the serious conflicts in the Middle East and other regions. The Declaration on the Granting of Independence to Colonial Countries and Peoples stressed in particular the link between human rights and the right of peoples to self-determination. Realization of that right was also a prerequisite for implementing the entire range of civil, political, social, economic and cultural rights.

11. The use of mercenaries was a widespread and flagrant violation of international law designed to prevent peoples from exercising their inalienable right to self-determination. The Byelorussian SSR was firmly opposed to the use of mercenaries and considered it a serious threat to international peace and security as well as a crime against humanity. His delegation fully supported the activities of the United Nations in that area and called for the adoption of the most effective measures to combat the use of mercenaries. The authority and effectiveness of the United Nations depended on the extent to which the Member States carried out its decisions and resolutions. Accordingly, he called upon all States to redouble their efforts to bring about the complete elimination of such shameful phenomena as racism, racial discrimination and apartheid.

12. Mrs. GEBRE-EGZIABHER (Ethiopia) said that in Ethiopia, a country of many nationalities, respect for equality was the basis for harmonious life and national unity. The necessary legislative and administrative measures to guarantee racial equality had been adopted and were effectively implemented.

13. Her delegation had carefully studied the reports of the Secretary-General on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and noted with satisfaction the activities being undertaken by the United Nations system. Her delegation supported the recommendations contained in the excellent study by the Special Rapporteur, Mr. Eide, on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination. It was clear from the study that there was a long way to go before racial equality was attained and racial discrimination totally eradicated. Despite the high priority given to the major objective, the dismantling of apartheid in South Africa, apartheid remained intact. Concerted efforts must therefore be further strengthened.

(Mrs. Gebre-Egziabher, Ethiopia)

14. The recent positive developments in South Africa, dictated by the new international political climate and the establishment of an independent and sovereign Republic of Namibia, left much to be desired. The continued existence of legislation and regulations upholding the apartheid system and the failure of the Government of South Africa to create an atmosphere conducive to negotiation, as required by the Declaration of the Sixteenth Special Session of the General Assembly, suggested that the Pretoria régime was not yet ready to respect the will of the majority. As stated by the Foreign Minister of Ethiopia in his address to the General Assembly on 2 October 1990, it would be unwise to ease economic and political pressure on the Pretoria régime, and Ethiopia urged that sanctions against South Africa should be maintained until the process of change had become irreversible. In that connection, her delegation found the report of the Special Rapporteur, Mr. Khalifa, on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa, contained in document A/45/552, of great assistance. It hoped that equality and justice would prevail in South Africa at least before the end of the Second Decade.

15. Ethiopia attached great importance to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid and was pleased to note that the former Convention had been ratified or acceded to by 129 States. The continued critical financial situation of the Committee on the Elimination of Racial Discrimination, however, was a matter of great concern, calling for immediate action by the States parties to the Convention.

16. In connection with the right to self-determination, in accordance with General Assembly resolution 1514 (XV), her delegation welcomed the accession of Namibia to independence and the participation of representatives of free Namibia in the Committee. Ethiopia hoped that the right of the Palestinian people to self-determination would soon be realized in the context of Security Council resolutions 242 (1967) and 338 (1973). In that connection, the invasion of Kuwait by Iraq was a setback to the realization of the principle of the right to self-determination. The annexation of Kuwait was a blatant violation of international law. As a member of the Security Council, Ethiopia spared no effort to ensure the peaceful resolution of the crisis, with the unconditional withdrawal of Iraqi forces from Kuwait and the restoration of the legitimate Government.

17. She reaffirmed her Government's commitment to the right of self-determination, which Ethiopia continued to promote through its chairmanship of the Committee on Decolonization.

18. Miss AL-ALAWI (Bahrain) said that, despite the international community's persistent efforts to end racism, racial discrimination and apartheid, millions of human beings were still victims of those crimes against humanity. Her country's legislation, based as it was on the generous teachings of Islam, regarded all citizens as equal before the law regardless of their colour, religion, race, language or sex. Her Government had consistently expressed its opposition to

(Miss Al-Alawi, Bahrain)

racist policies and had demonstrated the extent of its commitment by acceding to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

19. Appreciation was due to the various organizations and committees, both inside and outside the United Nations system, which had worked to ensure implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. Document A/45/525 contained a particularly valuable and comprehensive report in that connection.

20. While welcoming the admission of Namibia to the Organization and commending the Namibian people's courage, persistence and heroism in struggling to achieve independence, her delegation noted that South Africa's essential apartheid policies remained unchanged and called for the establishment of a democratic society based on justice, equality and respect for the rights of the black majority. Neither had the Palestinian people yet been spared the policies of racism and racial discrimination practised against them by the Israeli occupation authorities: flagrant violations of human rights in the Palestinian and other occupied Arab territories emphasized the urgent need to convene the International Peace Conference on the Middle East, with a view to bringing about a comprehensive, just and durable settlement of the conflict.

21. The international community must step up its efforts to enable all peoples under colonial domination or foreign occupation to exercise their legitimate rights, in accordance with the principles of the Charter and the Universal Declaration of Human Rights. In that context, Iraq's invasion and annexation of Kuwait constituted, as recognized in successive Security Council resolutions, a breach of international peace and security and a blatant violation of international law.

22. Mr. ABOU-HADID (Syrian Arab Republic) said that the right of peoples to self-determination was a fundamental principle of international law and of the Charter and an indispensable prerequisite in respect for human rights. He welcomed the admission of Namibia as a Member of the United Nations and paid tribute to both the struggle of its people and the persistent efforts of the United Nations in securing that country's independence from South Africa.

23. His delegation commended the reports contained in documents A/45/443, A/45/525 and A/45/552. It agreed that sanctions against the Pretoria régime must be maintained and strengthened and concurred with the conclusion that alleged reforms in South Africa constituted little more than window-dressing. The international community must not falter in its resolve regardless of the régime's deceitful attempts to enhance its image.

24. Careful study of the replies contained in document A/45/500 indicated a common theme: racism and racial discrimination represented not only a grave violation of the right of peoples to self-determination but also a serious threat to

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(Mr. Abou-Hadid, Syrian Arab Republic)

international peace and security. The central topic which had been on the Organization's agenda for over 40 years was that of the Palestinian people's right to self-determination, and the current uprising showed that it was impossible to subject an entire people to occupation and other abuses indefinitely. He drew the Committee's attention to the Definition of Aggression contained in General Assembly resolution 3314 (XXIX), and particularly to articles 5 and 7 of that Definition. Member States must ensure that Israel met its international obligations by abandoning its racist policies and, in that connection, its military co-operation with South Africa. To that end, pressure was required to ensure the convening of the International Peace Conference on the Middle East.

25. Noting the disruption of the work of the Committee on the Elimination of Racial Discrimination, he urged those States which had not fulfilled their financial obligations to that Committee to do so and also called for further ratifications of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, which declared *apartheid* to be a crime against humanity, and the International Convention on the Elimination of All Forms of Racial Discrimination.

26. Ms. KODIKARA (Philippines) said that her country continued to support all efforts to eliminate the evils of racism and racial discrimination and was party to the relevant international instruments. It also looked forward to the completion of a universal declaration on indigenous rights. Her country valued and supported the important work of the Committee on the Elimination of Racial Discrimination and therefore endorsed the proposal to establish a contingency reserve fund for it as a remedy for its critical financial situation. She hoped that the Committee would in the future concentrate on the universalization of its programmes of action. Her delegation also supported the plan of activities for the second half of the Second Decade to Combat Racism and Racial Discrimination (A/45/443). Teaching at the family and primary educational levels should also be considered as ways to combat racism and racial discrimination and she looked forward to the availability of model anti-discrimination legislation, taking local conditions into account. Laws were not enough, but they were effective, as were administrative and judicial bodies designed to implement and enforce them nationally and internationally. Her country also supported the proposed world conference on human rights.

27. While welcoming recent political changes in southern Africa, she said that *apartheid* could not be reformed; it must be totally abolished. She therefore stressed the need to continue sanctions against South Africa until the remaining *apartheid* policies were abandoned.

28. The right of all peoples to self-determination was a prerequisite to the full enjoyment of all human rights and fundamental freedoms and she therefore welcomed the recent changes in Eastern Europe and the enhanced role of the United Nations in Cambodia. In the matter of Palestine, a comprehensive, just and lasting settlement could be achieved on the basis of the relevant United Nations resolutions, which guaranteed, *inter alia*, the right of the States in the region, including Israel to exist. Her own country's achievement of self-determination in 1986 had been echoed in many parts of the world and the restoration of democracy was always the best guarantee for the effective protection of human rights.

29. Mr. MARKIDES (Cyprus) said that his country had repeatedly condemned the racist régime of South Africa as well as racial discrimination in all forms and stressed the need to step up measures to bring about the complete dismantlement of the apartheid system. His delegation welcomed the positive developments in South Africa, including the initiation of a political process leading eventually to substantive negotiations. The suspension of the armed struggle proclaimed by the African National Congress of South Africa (ANC) was also an important step towards achieving a negotiated peaceful settlement. Nevertheless, much remained to be done, including such measures as the release of all political prisoners and detainees, putting an end to the state of emergency in the country, repealing all legislation designed to limit political activity, the removal of troops from townships and the cessation of all political trials and political executions. More confidence-building measures were required in order to make progress towards a united, non-racial and democratic society in South Africa.

30. Cyprus had always attached the utmost importance to the work carried out by the Committee on the Elimination of Racial Discrimination (CERD), whose contribution to efforts to combat racism was indisputable. In spite of financial obstacles, CERD continued to monitor effectively the implementation of the Convention. It was hoped that the current financial crisis would be resolved through co-operation by all States parties concerned so that CERD could continue to carry out its important task unimpeded.

31. His delegation fully supported the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and hoped that the end of the Decade would coincide with the complete dismantling of the apartheid system. Cyprus fully supported the right of peoples to self-determination in accordance with the Charter of the United Nations and the territorial integrity and independence of Member States. The universal realization of the right to self-determination was a pre-condition for the observance and promotion of human rights. In that connection, he drew attention to the Declaration on friendly relations and the general comment by the Human Rights Committee on article 1 of the International Covenant on Civil and Political Rights. Lastly, his delegation reaffirmed its support for efforts to put an end to colonial domination, apartheid and foreign occupation and to safeguard independence, territorial integrity and national unity.

32. Mr. RASTAM (Malaysia) said the changes occurring throughout the world should help tremendously in bringing down racism and racial discrimination, particularly in the form of apartheid. Malaysia rejected the system of apartheid and would continue to support all international efforts to bring a swift end to it, including the continuation of sanctions against the South African régime. Recent encouraging developments in South Africa included the release of Nelson Mandela and other political prisoners and dialogues carried out between Mr. Mandela and President De Klerk. The United Nations Declaration on Apartheid and its Destructive Consequences adopted at the sixteenth special session of the General Assembly provided a sound framework for a negotiated settlement in South Africa leading to the eradication of apartheid. The international community should continue to apply pressure and sanctions to the South African régime until apartheid was definitively abolished. His delegation supported the activities

(Mr. Rastam, Malaysia)

carried out under the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, as reported on by the Secretary-General in document A/45/443. The President of South Africa should exercise his responsibility in ensuring that the process of change was not hampered by any political party or circumstance. His delegation viewed the recent incidents of violence in South Africa with deep concern and urged the parties concerned to exercise self-restraint and to forge unity among the black leadership so they could work together towards eradicating apartheid.

33. His country remained concerned about the continued suffering of the Palestinian people under Israeli repression, as demonstrated in the recent events in Jerusalem, which underlined the urgent need for appropriate action. Malaysia had supported the adoption of Security Council resolution 672 (1990) on 12 October 1990 out of its convictions concerning the inalienable right of self-determination of the Palestinian people. The United Nations should have a role in all efforts to bring about a just and durable solution to the Palestinian question, which was at the core of the Arab-Israeli conflict. His delegation felt that an international peace conference on the Middle East convened under United Nations auspices was the most effective means for resolving that conflict.

34. Turning to the question of Cambodia, he said a peaceful solution appeared to be in sight as reflected in the agreement reached the previous month in Jakarta to accept the framework of a political settlement formulated earlier by the permanent members of the Security Council. The Cambodian parties to that agreement had also agreed on the formation of a Supreme National Council as the source of authority in Cambodia during the period of transition. The hard work performed by Malaysia and other countries to find a just and durable political settlement of the Cambodian problem, enabling the Cambodian people to exercise their right to self-determination through free and fair elections organized by the United Nations, should ultimately result in the formation of a democratic and free Cambodia. His delegation felt that the unanimous adoption of resolution 668 (1990) by the Security Council on 20 September 1990 and of resolution 45/3 by the United Nations General Assembly on 15 October 1990 should contribute significantly to progress towards national reconciliation among Cambodians and to the reconvening of the Paris International Conference on Cambodia at the earliest possible date. Cambodians would still need international assistance to bring their country into the mainstream of regional and international development activities after a settlement had been achieved, and his delegation hoped that such assistance would be forthcoming.

35. Mr. MOUMIN (Comoros) drew attention to the report contained in document A/45/488 in which reference was made to the tragic events leading up to the assassination of President Ahmed Abdallah Abderémane on 26 November 1989. He commended the rapidity with which the United Nations had condemned that act. On 15 December 1989, he himself had sent a note verbale (61/RFIC/UN/SM/89) to the Secretary-General, informing him of the situation which prevailed in the Comoros at that time and asking him to convey that information to the Members of the United Nations. However, the Special Rapporteur on the question of the use of mercenaries

(Mr. Moumin, Comoros)

had reported in paragraph 53 of document A/45/488 that he had written to the Government of the Comoros to obtain direct information on the events which had occurred there and affirmed that there had been no reply to that communication. He (Mr. Moumin) said that to his knowledge the request referred to by the Special Rapporteur had never been received nor had the Special Rapporteur ever contacted the mission to learn what action it intended to take.

36. He went on to inform the Committee, that following the departure of the mercenaries responsible for the assassination, the acting President of the Republic, Mr. Said Mohammad Djohar, had announced his intention of putting the country on the road to democracy. Accordingly, it had been decided to hold open presidential elections at which representatives of the Secretary-General of the Organization of African Unity (OAU) had been invited to participate as observers. On 11 March 1990 Mr. Said Mohammad Djohar had been elected President on the second ballot. Shortly thereafter, addressing the OAU summit held at Addis Ababa from 9 to 11 July 1990, the new Comorian President had announced that the mercenary issue had been proposed as a subject of debate at the forthcoming session of the Indian Ocean Commission and that the competent Comorian authorities would also be seized with the question with a view to the Comoros' adherence to and ratification of all international legal instruments on the subject of mercenaries.

37. In August 1990, two mercenaries from the original band had actually succeeded in penetrating Comorian territory clandestinely, but, thanks to the vigilance of the country's population, the forces of order had immediately been alerted. Although the whereabouts of the two mercenaries had been discovered, they had managed to escape, and efforts to capture them had been unsuccessful. The President had launched an appeal, asking the population to mobilize in order to prevent the mercenaries from returning to the Comoros. Following that appeal, demonstrations had been organized in support of the President, in which efforts to destabilize the Government had been condemned.

38. The delegation of the Comoros appealed to friendly countries in the United Nations to see that appropriate measures were taken to ensure that the Comoros remained free of the scourge of mercenary activity and that existing bands of mercenaries were dismantled in all parts of the world.

39. Mr. HENNESSY (Ireland) said that his delegation warmly welcomed the recent progress towards the universal realization of the right to self-determination in Namibia and in Europe, which reflected growing recognition of the importance of the principles upheld by the Conference on Security and Co-operation in Europe. For self-determination to become a reality, the achievement of national independence must be supplemented by real democracy and popular participation in Government, and he welcomed progress in that direction in Latin America, Africa and Asia. While no single model of development could ensure self-determination, the common feature of any system of self-determination must be the freedom of political choice operating through free and open elections. The United Nations had shown what an important contribution it could make in that connection in Namibia and in Nicaragua, and he expected it to make an equal contribution in Haiti. In order to make the United

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(Mr. Hennessy, Ireland)

Nations even more effective in that area, the Committee should give attention to the establishment of internationally agreed standards for free and honest elections and to the provision of assistance in the many practical areas affecting their efficient and fair conduct.

40. Self-determination could have real meaning only where basic needs were adequately met, and his delegation welcomed the growing recognition of the links between development, social policy and human rights.

41. In Kuwait self-determination had been undermined by invasion and annexation in violation of the Charter of the United Nations, and the international community must take appropriate action. Ireland joined the European Community in supporting the Security Council's actions and urged Iraq to withdraw its forces from Kuwait, restore its territorial integrity under the authority of its legitimate Government and allow all foreign nationals to leave Iraq and Kuwait. He also joined the European Community in condemning the excessive use of force by the Israeli occupying forces in dealing with the Jerusalem demonstrations. The situation only highlighted the need for a comprehensive settlement to the Palestinian problem through an international peace conference under the auspices of the United Nations and with the participation of the representatives of the Palestinian people.

42. Mrs. VARGAS (Nicaragua) said her delegation had read with great interest the study contained in document A/45/525. That study was consonant with resolution A/RES/44/52 in which the Assembly had decided to keep the item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination" on its agenda and to consider it as a matter of the highest priority at its forty-fifth session. The conclusions of the study provided a comprehensive picture of the accomplishments of the two Decades and the background needed for the General Assembly to express its views concerning the recommendation contained in resolution 1990/1 adopted by the Sub-Commission on prevention of Discrimination and Protection of Minorities concerning the advisability of proclaiming a third Decade to Combat Racism and Racial Discrimination in 1993, a proclamation which her delegation regarded as relevant and necessary.

43. Nicaragua's concern for the problem of racism and racial discrimination was reflected in the programme of its Government, in which the commitment was undertaken to condemn apartheid and racism and to promote the eradication of any other form of discrimination. Her delegatoin shared the view adopted for the purposes of the study contained in document A/45/525 that it was hard to measure racism on the basis of objective criteria and that it needed to be evaluated in terms of the practical action taken by each State.

44. In spite of the irreversible mixture of races in Latin America, racism could be manifested in the lack of synthesis of the cultures represented, the result being a cultural transposition with all the drawbacks which preference for one culture over the others might involve. The quest of Latin America for its own culture, expressions and institutions was part of its history, and the struggle for

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(Mrs. Vargas, Nicaragua)

identity was not only a problem of identifying the roots of the past but was becoming a challenge to the region's future survival. It had been reflected in the difficulties which kept Latin America from the unity and integration it needed to achieve.

45. Recognition should be given to the dramatic problem faced by those indigenous people of Latin America whose racial purity was still intact and who retained pre-Colombian structures of socio-political organization within nation-states in which they had never really been incorporated. In Nicaragua, ethnic situations had been dealt with in the country's political Constitution by establishing the autonomy of the indigenous populations of Nicaragua under an agreement drawn up between the Government and those populations themselves. That solution went further than the concepts of assimilation, integration or incorporation embodied in international instruments relating to racial discrimination and was designed to promote the values of the country's underprivileged communities.

46. With regard to the question of the importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights, her Government was committed to a comprehensive policy of friendship among nations and to the strengthening of peace and stability throughout the world within the framework of the right of peoples to self-determination, as enshrined in the Charter of the United Nations. In line with its devotion to that principle, Nicaragua condemned all acts of violence or aggression against the constitutional order or territorial integrity of any State and recognized negotiation and arbitration as suitable means for finding solutions to international conflicts. The achievement of peace and the gradual establishment of democracy in her own country and developments such as the independence of Namibia were living examples of what could be done in collaboration with the United Nations within a framework of the fundamental principles of contemporary international law.

47. She commended the report submitted by the Special Rapporteur on the use of mercenaries (A/45/525), in which it was stated that the problem had to all intents and purposes been overcome in Latin America.

48. Ms. ZINDOGA (Zimbabwe) expressed regret that racism was still prevalent in the world. Much remained to be done to promote the struggle of peoples for independence and human dignity as envisaged in the Charter of the United Nations and the Universal Declaration of Human Rights. The prime objective of the Second Decade to Combat Racism and Racial Discrimination should continue to be the eradication of apartheid. Although her Government welcomed the talks aimed at bringing about a peaceful settlement of the South African conflict, it stressed that the fundamental pillars of the apartheid system were still in place. In that regard, her delegation noted with satisfaction that the international community had categorically refused to relax the existing sanctions until there was clear evidence of profound and irreversible change. Zimbabwe joined those who called upon the South African régime to release all political prisoners and detainees

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without further delay in accordance with the Declaration on Apartheid and its Destructive Consequences in Southern Africa. The international community must maintain pressure on the South African régime to force it to carry out its commitments.

49. Zimbabwe was saddened by the brutal destabilization occurring in Angola and Mozambique, where mercenaries and surrogates of South Africa continued to cause havoc, and appealed to outside forces to halt their support for international terrorism, which had brought about untold suffering in the region. It was disturbing to note in the preliminary report on the question of the use of mercenaries (A/45/488) that mercenaries had been used in attempts to crush the Namibian resistance movement, had fought against the Angolan Government, had been deployed in Natal province and that white vigilante groups were using mercenaries against the oppressed majority in South Africa.

50. The Palestinian question remained unresolved and Israel still occupied Palestine and other Arab territories. Her Government had strongly condemned the recent shooting of innocent Palestinians by Israeli forces in the occupied territories and called upon all peace-loving peoples to condemn that unwarranted act of brutality. Israel must not be allowed to take advantage of the Gulf crisis to step up its repression of the Palestinian people. Zimbabwe continued to call for the convening of an international peace conference on the question of Palestine, with the participation of the Palestine Liberation Organization as the authentic representative of the Palestinian people, to address all aspects of the question on the basis of the right of the Palestinian people to self-determination and to establish an independent and sovereign State in its national homeland.

51. Lastly, her delegation supported the efforts by the Secretary-General to solve the problem of Western Sahara and the steps taken to find a peaceful solution to the situation in Kampuchea to enable the Kampuchean people to exercise their right to self-determination.

52. Mrs. ARUNGU-OLEANDE (Kenya) said that an international society based on human dignity and worth could not be built as long as racism persisted. The worst, institutionalized, form of racism was apartheid, and it must be of the greatest concern to the international community. Despite welcome progress in dismantling it, black South Africans were still being deprived of their rights, their freedoms and their lives. Her delegation therefore fully supported the maintenance of comprehensive sanctions against South Africa until meaningful changes had been accepted by the majority of South Africans. It also backed the General Assembly's appeal for the maintenance of pressure on the South African Government until there was clear evidence of irreversible change.

53. Discrimination was the product of ignorance, insecurity and feelings of superiority, and racial injustices occurred when people failed to accept differences and diversities. The evil consequences of race hatred and prejudice should be discussed and debated in all communities and societies where they existed. She welcomed in that connection the increasing public awareness of the

(Mrs. Arungu-Oleande, Kenya)

problems of race prejudice that had been created by the United Nations and by governmental and non-governmental organizations. The international community could also take pride in Namibia's independence as a victory of self-determination, which, once achieved, must be protected against all forms of interference from within or without. In the Middle East in particular, the people of Kuwait could not enjoy self-determination as long as Iraq occupied their country and no effort should be spared in search of a peaceful solution to that problem.

The meeting rose at 12.30 p.m.

UNITED NATIONS
General Assembly
FORTY-FIFTH SESSION
Official Records

THIRD COMMITTEE
9th meeting
held on
Tuesday, 16 October 1990
at 3 p.m.
New York

SUMMARY RECORD OF THE 9th MEETING

Chairman:	Mrs. ZINDOGA (Vice-Chairman)	(Zimbabwe)
later:	Mr. SOMAVIA (Chairman)	(Chile)

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In the absence of the Chairman, Mrs. Zindoga (Zimbabwe), Vice-Chairman, took the Chair.

The meeting was called to order at 3.10 p.m.

AGENDA ITEM 88: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (*continued*) (A/45/552)

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1. Mr. RAVEN (United Kingdom) referring to the statement made by the Ambassador of Italy on 8 October on behalf of the twelve States members of the European Community, said that racism and racial discrimination existed in all countries of the world, since no society was perfect. The United Kingdom was after all a multi-racial society in which freedom of religion and political allegiance and the right of all British people to speak and write freely, to meet and take part in demonstrations were guaranteed regardless of race, language or sex and regardless of whether they were British by birth or choice or whether they had been British for one generation or ten. It was in that spirit that the Race Relations Act, regarded as a model in legislation to eliminate racial discrimination, had been adopted in 1976.

2. The United Kingdom was a party to the International Convention on the Elimination of All Forms of Racial Discrimination and valued highly the work of the Committee on the Elimination of Racial Discrimination, to which it would shortly be submitting its eleventh report as evidence of its determination to implement the provisions of the Convention. Referring to the comments contained in that Committee's report on the Second Decade to Combat Racism and Racial Discrimination (A/45/18, pp. 81 to 83), his delegation particularly endorsed the suggestion that when the Second Decade came to an end the Committee should continue to play an active role. Although the United Kingdom had supported constructive elements of the Decade, it had expressed concern about some of the proposals contained in the plan of activities on South Africa, such as the references to Chapter VII of the Charter and calls for sanctions and for assistance to national liberation movements. It therefore urged the Centre for Human Rights, when drawing up plans for the follow-up to the Second Decade, to think creatively about involving the Committee on the Elimination of Racial Discrimination. Although the United Kingdom

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(Mr. Raven, United Kingdom)

shared the strong desire of the United Nations to see the hateful system of apartheid abolished and replaced with a non-racial democracy, it considered - and there its analysis differed from that of the Special Rapporteur - that there had been significant changes in South Africa in recent months. However, the resolution adopted by the General Assembly at its previous session failed to recognize fully the importance of the talks held between the South African Government and the African National Congress (ANC) at Pretoria in August. Bearing in mind the process of change under way in South Africa, the Government of the United Kingdom had maintained some of the existing restrictive measures, but had relaxed others and had taken certain positive steps, such as expanding its aid programme with the object of encouraging further progress.

3. On the question of self-determination, the United Kingdom's decolonization record amply demonstrated its commitment to that principle. In that connection, a blatant example of denial of the right to self-determination should be mentioned, namely, the situation in the Gulf created by the brutal invasion of Kuwait by Iraq, which constituted an intolerable act of aggression. The United Kingdom called once again for the immediate and unconditional withdrawal of foreign troops from Kuwait and for the restoration of that country's territorial integrity and sovereignty under the authority of its legitimate Government.

4. Mrs. BUTIKU (United Republic of Tanzania) said that it emerged clearly from an examination of the report prepared by the Special Rapporteur designated by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (A/45/552), which included information on partial disinvestment by foreign enterprises operating in South Africa and on various methods used to avoid ending all participation in that country's economy, that the spirit of the Declaration adopted by consensus by the United Nations had not been upheld by all Members. The report described various techniques employed to avoid total withdrawal from the South African economy.

5. With regard to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, the Committee had before it a report prepared by the Special Rapporteur on the subject concerning the achievements made and obstacles encountered during the two United Nations Decades to combat racism. The study called for the preparation of a plan for concerted action to implement the many specific measures that had been recommended, and for increased assistance to the victims of apartheid and to anti-apartheid movements within South Africa.

6. Although the Declaration on Apartheid and its Destructive Consequences in Southern Africa prescribed measures to help create the necessary climate for free political discussions, pillars of that system, such as the Group Areas Act, the Native Land Act, the Population Registration Act, the policy of Bantustans and the segregated educational system, remained in place, while the changes that had taken place there recently were insufficient to create an atmosphere conducive to negotiations and were inadequate to make any fundamental impact on the political, economic and social life of the majority of the black population.

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(Mrs. Butiku, United Republic of Tanzania)

7. A matter for serious concern was the violence in Natal and in several townships caused by the persistence of *apartheid*. Her Government accordingly urged the Pretoria régime to delay no further in taking steps to end the violence. It was, furthermore, regrettable that certain countries had chosen to relax sanctions against South Africa in order to "reward" the Prime Minister of that country for the few changes he had introduced, since such action jeopardized efforts to create the necessary climate for negotiations. Those who had relaxed sanctions must reconsider that decision if a united, non-racial and democratic South Africa was to be achieved.

8. Her Government considered that self-determination was an inalienable right of all peoples that must also be enjoyed by the Palestinian people, who were being subjected to increasing brutality by the Israeli authorities in their attempt to quell the *intifadah*. In that context, her country appealed to Israel to co-operate in the search for a solution. By contrast, it was a source of great satisfaction that Namibia now enjoyed the status of Member of the United Nations; its membership was a victory for the Members of the Organization and the international community as a whole.

9. The delegation of Tanzania strongly condemned the invasion, occupation and annexation of Kuwait by Iraq and called for the immediate and unconditional withdrawal of foreign troops from Kuwait and for the restoration of its territorial integrity and sovereignty under the authority of its legitimate Government. With regard to the political situation in Central America, she said the new spirit of reconciliation and sense of unity among the countries of the subregion was encouraging. The outcome of the efforts of the Secretary-General on the question of Western Sahara had also been positive, and the referendum to be held within the framework of the peace plan would enable the people of Western Sahara to determine their own future. With regard to Cambodia, she said Tanzania shared the widespread belief that a comprehensive political settlement would ensure the independence, sovereignty and territorial integrity of Cambodia as well as the fundamental right of Cambodians to choose their own destiny. The opening of a dialogue between the leaders of the Democratic People's Republic of Korea and the Republic of Korea was also encouraging.

10. Tanzania welcomed the unification of Germany and believed that one Germany would strengthen the United Nations and serve as an example of unity, helping to promote freedom, justice, the right to self-determination, respect for the principles of the Charter and the maintenance of international peace and security.

11. In spite of the efforts made by the Government of Angola to end the war in its country, the open and covert support given by the United States and some of its allies to UNITA continued and was keeping Angolans from exercising their full rights. In Mozambique the Renamo bandits continued to sow havoc in the economy of the country and to kill innocent people. For the sake of peace, Tanzania appealed for an end to activities aimed at arming, training or giving any kind of assistance to Renamo.

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(Mrs. Butiku, United Republic of Tanzania)

12. With regard to the Second Decade to Combat Racism and Racial Discrimination due to come to a close in 1993, she said there was no doubt that the Committee had played an indispensable role and had contributed significantly to the progress achieved but that since much remained to be done, the efforts being made to eradicate racism and racial discrimination from the face of the earth should be redoubled.

13. Mr. MILANES (Cuba) said another year in the Second Decade to Combat Racism and Racial Discrimination was ending without the achievement of the results anticipated when the Decade had been proclaimed. The United Nations had made bold efforts to eliminate racism and racial discrimination; however, at present millions of people were still victims of those evils, and no way of mitigating or eradicating them had been found. On the contrary, certain neo-Nazi tendencies and groups bolstered by the myth of racial superiority and by chauvinism with regard to foreigners, in particular migrant workers, especially those from developing countries, were making themselves felt more forcibly than ever. The delegation of Cuba wished to denounce the display of such feelings, which were being evinced with increasing force in Europe and the United States and could lead to increasingly dangerous situations for the international community. For years Cuba had been denouncing expressions of racism and racial discrimination, which were responsible for growing agitation in the United States, where blacks, Latin Americans and other minorities were humiliated and treated like third class citizens. Such racist practices should not escape the attention of the international community, which should ensure that the most highly industrialized country in the world respected the rights of minorities.

14. The question of *apartheid* was still one of the basic issues under review in the United Nations since its elimination was one of the major challenges facing the international community. The adoption by consensus of the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa and the Programme of Action provided for at the sixteenth special session of the General Assembly constituted a solemn commitment on the part of all the United Nations Member States to ensure that a united, democratic, non-racial South Africa come into being as soon as possible. It had been observed that recently some encouraging changes had taken place in South Africa, in particular with regard to the liberation of Nelson Mandela, the resumption of the activities of the African National Congress (ANC) and other people's organizations and the initiation of a dialogue between ANC and the authorities in Pretoria. Those changes were still insufficient, however, and the principles laid down in the Declaration had yet to be applied. *Apartheid* continued as a system, and the far-reaching changes the international community had hoped would be made during 1990 had still not been achieved.

15. The changes brought about so far were due primarily to the selfless and heroic struggle of the African people of South Africa and to the pressure applied by the international community. Some countries felt the time had come to reduce the display of solidarity with the South African national liberation movement and to let up on international pressure against *apartheid*. Far from furthering the success of internal negotiations in South Africa and creating a climate of dialogue among all sectors of the South African population, such an attitude would in the

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(Mr. Milanes, Cuba)

and strengthen the positions of those who clung to the system of white minority domination. The sanctions imposed by the United Nations and by individual Governments should therefore remain in place. The South African authorities must be made to understand that until the repressive legislation which provided the foundations for the system of apartheid was removed, international pressure would not be reduced.

16. In March 1990 the international community had welcomed into its midst the independent and sovereign new State of Namibia, which had also suffered abuse under the apartheid system and foreign occupation. Although the United Nations had played a leading role in the achievement of Namibia's independence, it should not be forgotten that the main reason why Namibia was now a United Nations Member State was the heroic resistance offered by its people in order to achieve independence. The people and Government of Cuba once more hailed independent Namibia.

17. The Palestine question was again occupying the attention of the entire international community owing to an increase in the repressive action taken by Israel in the occupied Arab territories. The Palestinian people, who were being denied their inalienable right to self-determination, were heroically countering the barbaric policy of Israel. Those who were trying to cover up Israeli practices and were standing in the way of the adoption by the United Nations of decisions against those practices shared the responsibility for the repressive measures taken against the Palestinian people.

18. Cuba supported the creation of an independent and sovereign State in Western Sahara, on behalf of which negotiations were being held between the FRENTE POLISARIO and the Government of Morocco under the auspices of the United Nations. Similarly, Cuba reiterated its support of the legitimate right of Cyprus to re-establish its national sovereignty and territorial integrity and therefore endorsed the termination of the military occupation of part of the territory of Cyprus. In that connection he said Cuba favoured a dialogue between the various Cypriot communities, which would lead to a negotiated political solution of the problem and to the restoration of Cyprus as a united, sovereign State. Finally, it reaffirmed its full support of the aspirations of the Puerto Rican people to self-determination and independence.

19. Cuba had never swerved in rejecting and condemning the occupation of Kuwait and its annexation by Iraq. As Mr. Fidel Castro, President of the Republic of Cuba, had recently stated, "in our view, a political solution necessarily requires the termination of the occupation of Kuwait and the re-establishment of its sovereignty. In that regard we have no doubts whatsoever, and our policy is principled, upright and well-defined". Guarantees must be extended to all the countries of the region, on the basis of the withdrawal of the Iraqi troops to their borders and of the troops of the United States from the Arabian/Persian Gulf.

20. Mankind was expectantly awaiting the dawn of a new era in international relations which might establish the bases of lasting world peace. The signing of new disarmament agreements between the Soviet Union and the United States of

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(Mr. Milanes, Cuba)

America and the constructive atmosphere prevailing in relations among the major Powers seemed favourable to such a development. Nevertheless, there was profound concern in the developing countries of Africa, Asia and Latin America over the repercussions of the new situation on the economies of the countries of those regions and the maintenance of their sovereignty and independence. There had been talk of peace among the major Powers, but the small countries also wished to benefit from that peace in order to be able to devote themselves fully to development. Now, more than ever before, the sovereignty and territorial integrity of those countries and respect for their self-determination must be guaranteed. The developing countries would in no way, accept the building of peace among the major Powers on the ruins of the national sovereignty of third world peoples and of respect for the right of every people of the world to freely determine its own future. The foundations of the United Nations were based on those principles and Cuba would view any attempt to change them with deep concern.

21. Mr. ALLAFI (Libyan Arab Jamahiriya) said that the dignity which was innate in all human beings could not be protected unless the principle of equality was respected. And there could be no equality until everyone enjoyed the right of self-determination, a right which continued to be violated in many parts of the world. The harmony which was beginning to prevail in the northern hemisphere had still not spread to the southern hemisphere. Many individuals still suffered from oppression and persecution and the scourge of racism and racial discrimination. The Zionist and South African régimes were similar in combining racial persecution with denial of the principle of self-determination. Both régimes were based on racism and government by a minority. The two régimes were in close collaboration, including in the dangerous domain of nuclear weapons. In 1975 the General Assembly had adopted resolution 3379 (XXX) in which zionism had been viewed as a form of racism. The realities on which that resolution had been based remained unchanged and its content thus remained valid.

22. The study by the Special Rapporteur, Mr. Eide, on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination (A/45/525) was a very positive document, although it should have considered in greater depth the origins of racism and racial discrimination. The study made mention of the holocaust suffered by the Jews under the Nazi régime, an undeniable act of genocide. Yet it was equally undeniable that the Jews were engaged in similar genocide against the Palestinian people. The United Nations must send a mission to Palestine to prevent any continuation of that genocide.

23. The immigration of Jews into Palestine was unjustifiable. While Palestinians remained in exile and while those living in Palestine continued to be exploited and persecuted, the immigration of more Jews into Palestine must not be permitted. Such immigration was one obstacle more to the attainment of self-determination by the Palestinians. Those who assisted Jewish immigration must cease doing so because they were participating in the crime of genocide.

24. His delegation welcomed the release of Nelson Mandela. Libya was closely following developments in South Africa and welcomed the measures so far taken to

(Mr. Allafi, Libyan Arab Jamahiriya)

establish a non-racial and democratic society. Nevertheless, it must be emphasized that those measures were limited and must be extended and consolidated if the objective of the total elimination of the shameful régime of *apartheid* was to be attained. The changed situation in South Africa represented a triumph for the United Nations, which had adopted measures which had been effective in pressuring the South African Government. There were countries which now sought to end sanctions against South Africa, while, nevertheless, willing to adopt similar or more extensive sanctions against other countries. Libya welcomed the report by the Special Rapporteur, Mr. Khalifa, on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa (A/45/552), a document of great value in maintaining pressure on South Africa in order to end the *apartheid* régime once and for all. Libya called upon the Secretary-General to give Mr. Khalifa the fullest support in the performance of his duties so that he could visit South Africa, given that the Government of that country had denied him a visa.

25. He welcomed Namibia's independence, achieved following a long and valiant struggle by the Namibian people for self-determination. Libya did not co-operate with racist régimes and implemented all the conventions and other instruments of the United Nations against racism and racial discrimination. His delegation fully supported the work of the Committee on the Elimination of Racial Discrimination, to which Libya made a financial contribution. He called upon the international community to provide financial support for the work of the Committee, which was currently experiencing serious difficulty in discharging its mandate owing to a lack of funds.

26. Miss JUNEJO (Pakistan) said that in a world undergoing a profound transformation in which East-West rivalry was giving way to dialogue, areas of continuing conflict unfortunately remained. Such was the case of the peoples of Jammu and Kashmir. For more than four decades their right of self-determination had been denied. In accordance with the relevant resolutions of the United Nations Security Council, which were binding on both India and Pakistan, a free and impartial plebiscite should be conducted under the auspices of the Organization to determine the legal status of those territories. She gave examples of attempts by India to convince the international community that the population of Kashmir had exercised its right of self-determination, and noted that to date the word of honour given by the Prime Minister of India in 1952 that his country would achieve a peaceful solution of the question had not been redeemed. She denounced the grave violation of the human rights of the people of Kashmir, the wave of repression unleashed by India's armed and paramilitary forces in quelling the spontaneous uprising of the Kashmiri people, and other acts of repression, as well as the fact that the Government of India had expelled foreign correspondents from the occupied territory of Kashmir and did not allow any international agency to monitor the atrocities and flagrant violations it committed. None the less, news media and international organizations, including human rights organizations and men of conscience in India, had documented the massive violations of human rights. It was time to hold India accountable to the same human rights standards applied to others. Her delegation expressed the hope that India would recognize that it could

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(Miss Junejo, Pakistan)

not suppress the aspirations of the people of Kashmir through coercion and repression. The only solution lay in allowing the peoples of Jammu and Kashmir to exercise their right of self-determination.

27. Despite the withdrawal of foreign forces from Afghanistan, peace and tranquillity had still not been restored in that land. The people of Afghanistan continued to be denied their right of self-determination. The Geneva Agreements had addressed only the external aspects of the problem. Pakistan remained firmly committed to a political settlement of the Afghan question and would spare no effort in supporting the establishment of a broadly-based Government to replace the Kabul régime, which was unacceptable to the Afghan people.

28. The denial of the right of self-determination of the Palestinian people was a continuing tragedy. The intifadah had clearly exposed the brutality of the Israeli occupation. She denounced the recent killings as yet another manifestation of the excessive and brutal use of force by Israel against innocent people. An urgent effort was required by the international community to promote an equitable and comprehensive solution encompassing withdrawal by Israel from occupied Arab and Palestinian lands and the restoration of the inalienable rights of the Palestinian people, including its right to self-determination and to establish a State of its own.

29. With regard to the invasion of Kuwait by Iraq, Pakistan supported the Security Council resolution demanding the unconditional withdrawal of Iraqi troops and the restoration of the legitimate Government of the State of Kuwait.

30. Pakistan welcomed the adoption by consensus of the resolution on Cambodia and hoped that an amicable and durable settlement would be reached which would satisfy the right of the Cambodian people to self-determination. Faithful adherence to that principle was essential to the establishment of a peaceful, just, stable and human world order. Her delegation supported all steps necessary for an early transfer of power to the peoples of Trust and Non-Self-Governing Territories and all other territories which had not yet attained independence.

31. Pakistan, along with other delegations, would introduce a draft resolution on the right of peoples to self-determination, which, it hoped, the Committee would adopt by consensus, as it had in previous years.

32. Mr. MANIKFAN (Maldives), referring to certain statements in the report of the Special Rapporteur on the question of the use of mercenaries (A/45/488) regarding the treatment of terrorists, said that his country's legal system was based on the Islamic Shariah. The legal treatment received by the prisoners belonging to the terrorist organization which had perpetrated the armed attack on Maldives in November 1988 had been no different from that received by any citizen of the country. His Government reiterated that, because of the country's geographical characteristics, and for security reasons, it had been impossible for the Special Rapporteur to meet more than three prisoners. It also noted with regret that the Special Rapporteur had met certain unnamed individuals, who had made a number of

unsubstantiated and unclarified allegations against the Government. The latter categorically denied that any prisoner had died while in custody. Notwithstanding those observations, his delegation was grateful for the time and attention the Special Rapporteur had given to the concerns expressed by the Government, and for his very comprehensive report.

33. Mr. MOHIUDDIN (Bangladesh) said it was highly regrettable that, four decades after the proclamation of the Universal Declaration of Human Rights, discrimination based on race continued to prevail in the world because the international community had allowed it to be perpetrated in silence and without protest. The most brutal manifestation of racism was the institutionalized system of apartheid in South Africa. The time had come for the international community to respond to it with concerted action. Apartheid could not be reformed, but must be abolished in its entirety.

34. He reiterated that despite the efforts of the international community, the objectives of the Decades to Combat Racism and Racial Discrimination had not yet been achieved. It was during the Second Decade, however, that Namibia had attained independence. Nevertheless, the priority objective was the elimination of apartheid. Bangladesh was in favour of launching a third decade to combat racism and racial discrimination in 1993.

35. Bangladesh believed that, despite the important events that had taken place in South Africa, the international community must continue to send a clear and unambiguous signal to the Government in Pretoria that it was ready to take collective action in the interest of peace in South Africa. The adoption by consensus of the Declaration on Apartheid and its Destructive Consequences in Southern Africa was an important step in the struggle against apartheid. However, since the system remained firmly in place, Bangladesh strongly supported the view that sanctions should not be lifted. There must be an end to the immorality of allowing the despicable practice of apartheid.

36. No amount of oppression by the Israeli authorities would be able to stop the Palestinian intifadah. Israeli policies towards the Palestinian people constituted a blatant violation of human rights. Bangladesh remained convinced that a just and lasting solution in the region was possible only through the exercise by the Palestinian people of its right to self-determination and the establishment of an independent Palestinian State. It believed that an international peace conference on the Middle East should be convened under the auspices of the United Nations, with the PLO participating on an equal footing with all the parties concerned.

37. On Cambodia, Bangladesh welcomed the agreement to find a just and lasting solution to the conflict under the auspices of the United Nations. The settlement of the Afghan problem called for the establishment of a representative, broad-based government reflecting the popular will. The Afghan people must determine their own destiny without any outside intervention or interference.

38. The invasion of Kuwait by Iraq was a serious violation of the United Nations Charter. Bangladesh called upon Iraq to withdraw from the annexed territories and restore the legitimate Government of Kuwait in accordance with the Security Council resolutions.

39. Mr. OMRAN (United Arab Emirates) said that, in the year of the twenty-fifth anniversary of the adoption of the International Covention on the Elimination of All Forms of Racial Discrimination, when, thanks to the successes achieved in that field, the civilized world could no longer accept any kind of racial discrimination on grounds of colour, religion or ethnic origin, the international community must stand firm against the crimes perpetrated against the black majority in South Africa. Despite the indications of positive developments in that country, his delegation urged that international pressure should be kept up so as to encourage South Africa to abandon the policy of apartheid completely.

40. His country greeted the independence of Namibia and its membership in the United Nations as a result of the Namibian people's struggle under the leadership of the South West Africa People's Organization (SWAPO) and the work of the United Nations, which upheld the right of peoples to self-determination.

41. The racist régime occupying Palestine and other Arab territories continued to adopt a policy of repression, persecution and displacement of the Palestinian people. The most recent slaughter of Palestinians was not the first, nor would it be the last, for the history of zionism was full of crimes against the Palestinian people in particular and the Arab people in general. It was therefore essential for the international community to apply the relevant resolutions of the United Nations in order to enable the Palestinian people to establish an independent State, thus settling the question of Palestine, the oldest item on the General Assembly's agenda.

42. The United Arab Emirates believed that the détente in international relations that had resulted from the understanding between the two super-Powers meant that the time had come for the United Nations to fulfil its true role: to bring about international peace and security. However, the optimism borne of that development had not lasted long. It had been dispelled by Iraq's invasion, occupation and annexation by force of the State of Kuwait on 2 August 1990, in other words, the invasion of a State Member of the United Nations, the Arab League and the Non-Aligned Movement by another State Member of those same organizations. However, the international opposition to Iraq's crime showed that policies of aggression had no place in the present-day world.

43. Mr. ABIMANA (Rwanda) said that his Government attached particular importance to the work of the Committee on the Elimination of Racial Discrimination, which had just celebrated its twentieth anniversary and drew its membership from the 130 States which had ratified the international Convention on the Elimination of All Forms of Racial Discrimination. It therefore regretted that the financial difficulties experienced by the Committee, because many States parties - unlike Rwanda - were not paying their contributions, did not allow it to continue its

(Mr. Abimana, Rwanda)

important work and, in particular, had prevented the holding of its spring session. Rwanda believed that a short-term and a long-term solution must be found, and therefore supported the Secretary-General's proposal for the establishment of a reserve fund to which all the States parties would contribute.

44. Rwanda welcomed the recent advances in the struggle against racism and racial discrimination, such as Namibia's accession to independence in March and its admission to the United Nations on 26 April 1990, which gave grounds for hope of similar progress in eradicating *apartheid* in South Africa and ending attempts to destabilize the countries of the region.

45. Rwanda, which had always demonstrated its hatred of *apartheid* through such measures as breaking off diplomatic relations with South Africa and prohibiting the import of goods from that country, greeted with satisfaction the negotiations between the African National Congress and the Government of South Africa as a milestone on the way towards the dismantling of *apartheid*. Nevertheless, it continued to believe that imposing sanctions on South Africa and intensifying its international isolation were the most effective means of bringing pressure to bear in order to hasten the dismantling of the system.

46. At a time when the international community was celebrating the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, it was deplorable that a Member of the United Nations should have invaded and annexed the territory of another Member. Rwanda condemned Iraq's invasion of Kuwait and supported all the resolutions adopted by the United Nations Security Council in that connection, because it believed that only dialogue could prevent the pointless bloodbath that would result from armed conflict between the forces present in the Persian Gulf. The Gulf crisis was an obstacle to the prospects of peace and détente which had seemed to lie before international relations with the end of the cold war and the diminution of tension and conflict throughout the world. Furthermore, it was provoking grave economic problems for Rwanda and other third-world countries because of the rise in oil prices.

47. Mr. SINGH (India) said it was unfortunate that in the last decade of the current millennium, the world was still facing the problems of racial discrimination, the worst of which was undoubtedly *apartheid*, although the recent positive measures taken by the Government of South Africa showed that it recognized that *apartheid* was unjust and immoral and had to be eliminated. However, those measures were inadequate because neither the basic structure of *apartheid* nor the attitudes on which it fed, fostered by decades of racial hatred, suspicion and injustice, had yet been eradicated. The disturbing increase in violence in Natal and elsewhere in South Africa resulted primarily from the continued existence of *apartheid*. International pressure must therefore be maintained, through sanctions, to ensure that the process of change was carried to its logical conclusion: the freeing of the South African people from racial tyranny.

48. His delegation welcomed the admirable study by the Special Rapporteur of the Commission on Human Rights, Mr. Asbjorn Eide, on the achievements made and

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(Mr. Singh, India)

obstacles encountered during the Decade to Combat Racism and Racial Discrimination, and supported the idea expressed in it that the United Nations should start drafting a plan for concerted action to implement the many specific measures which had been recommended in the course of the Second Decade to Combat Racism and Racial Discrimination. In his delegation's opinion, it was also necessary to look at other situations where racial discrimination had surfaced. One such case was Fiji, where an illegal régime had imposed a constitution which institutionalized racial discrimination. The United Nations should impress upon that country's régime that its undemocratic and racially discriminatory policies were unacceptable.

49. It was unfortunate that United Nations activities for eliminating racial discrimination were hampered by lack of funds, in particular the work of the Committee on the Elimination of Racial Discrimination, which had had to cancel two sessions.

50. He welcomed the report of the Special Rapporteur, Mr. Enrique Bernales Ballesteros, on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination (A/45/488), but regretted that, as pointed out by the representative of Maldives, it contained certain misjudgements on the events of 3 November 1988 in Maldives, which the Special Rapporteur might have avoided if he had been able to obtain a broader view through information from all the parties concerned.

51. Mr. ALI MOHAMMED (Iraq), referring to the questions of racial discrimination and the right of peoples to self-determination, said that it was necessary to analyse existing ideas and attitudes, throughout the world, on those important problems. It was necessary also to study the various stages of the campaign to put an end to the loathsome system of racial segregation, a subject which was linked with self-determination. In that connection, the efforts of the United Nations had been a source of encouragement to the peoples suffering from segregation and foreign domination, in particular the Palestinian people.

52. Two problems were especially important: the racial discrimination practised by the Pretoria Government, and the Israeli occupation of the Palestinian and other Arab territories. On the other hand, he welcomed the important victory gained by the people of Namibia, who, after long years of struggle against *apartheid*, had achieved independence and the right to self-determination. There was no alternative to total elimination of racial discrimination. Consideration of the ideas and attitudes concerning the two problems showed that there were two further factors worth noting: the international efforts to support the struggle of the African and Palestinian peoples, and the efforts of certain interested parties to obstruct international assistance to those peoples. Some of the Western countries, headed by the United States of America, had in various ways violated the international economic embargo imposed against the South African régime, and had given assistance to South Africa on the pretext that sanctions harmed the black majority in that country, thus enabling the régime to pursue its policy of discrimination. In spite of that, the South African people had been able to achieve victories in respect of justice, equality and self-determination.

(Mr. Ali Mohammed, Iraq)

53. Regarding the second factor, there was no need for proof of the United States Government's support for the racist régime in Tel Aviv. The United States was responsible for the crimes perpetrated by Zionist terrorists against the Palestinian people and against the Arab people in general. The international community had quickly become aware of the strategic co-operation existing between the two racist régimes, South Africa and Tel Aviv, which was based particularly on the character of the two régimes and encompassed all spheres of military, political and economic co-operation. The international community had also observed that the two Governments were co-operating in the nuclear field, as well as in ways of wiping out resistance, as shown by the barbaric methods used by Tel Aviv to liquidate the Palestinian intifadah, and by South Africa to repress South Africans. The recent act of genocide by Israeli occupation forces against the Palestinian people, causing more than 20 martyrs, would certainly not be the last while the occupation and the legitimate national resistance continued.

54. That reflected the devious position of the United States, which gave full backing to the policy of Israel and used the right of veto to prevent adoption of a just resolution condemning Israel, calling for an end to its occupation and imposing the necessary sanctions.

55. The case of Iraq showed yet again the hypocrisy and partiality of the United States when it spoke about the new role of the United Nations and the Security Council, and about international law and the United Nations Charter, while ignoring the role of the Organization and the Council, and the Charter and international law, when it was the United States that commited aggression. It opposed the sending of representatives of the Security Council to the occupied Arab territories, pursuant to Security Council resolution 672 (1990) - to which it deliberately gave a restrictive interpretation - but sent 200,000 soldiers armed with weapons of destruction to occupy Arab territories and seize their wealth.

56. The United States was doing everything possible to impose a stricter blockade on Iraq. That should not surprise anyone, since the United States was well known for its colonialist policy, as shown by its intervention in Viet Nam, Grenada and Panama. It talked about a new era of international understanding, but acted as if it thought it had won the cold war. It was destroying the possibility of achieving real world peace. The campaign against Iraq was the preparation for a new era of colonialism. The imperialist press, with the help of public relations enterprises which had received millions of dollars for their collaboration, had mounted a campaign of defamation against Iraq. But in the end the whole world would see such imperialist and Zionist manoeuvres for what they were: a plot against the Arab world in particular and the developing countries in general.

57. The blockade of Iraq was causing serious suffering to the Iraqi people, especially children, women and the elderly. The United States and its allies were the ones mainly responsible for the appalling effects of the blockade. The United States had sent 200,000 soldiers to the Middle East to occupy Arab territories and violate Islamic Holy Places. The United States generals had themselves admitted that their country had prepared a plan to bombard and destroy Baghdad. They had

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also planned the destruction of the Palestinian people. Those plans were well known to all. But the call to war involved serious dangers. Everything must be done to avoid war. His delegation hoped that reason would prevail and that a just and peaceful solution would be found to the present situation of tension.

58. The President of Iraq, Mr. Saddam Hussein, had made a statement on 12 August 1990 in which he had declared that Iraq was ready to start negotiations on solving all the problems of the Middle East. Such negotiations would also ensure the solution of the Palestinian problem through the establishment of an independent Palestinian State, with its capital in Al-Quds, and under the leadership of the Palestine Liberation Organization.

59. His delegation had not exercised its right of reply to statements by certain delegations uttering lies against Iraq, but it reserved the right to do so when it was ready to expose those falsehoods.

60. Mr. Somavia (Chile) resumed the Chair.

61. Mr. GVIR (Israel) said that Israel felt that it must refrain from participating in the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination because the concept of racism had been completely distorted and virtually rendered meaningless 15 years earlier in General Assembly resolution 3379 (XXX), which maliciously equated zionism with racism. Zionism was the struggle for the self-emancipation and redemption of a people too long subjected to oppression and racial discrimination and, therefore, was a very antithesis of racism and, in fact, had served as a model for many liberation movements around the world. That resolution had done a grave injustice to his country and people.

62. Israel condemned racism in all its forms and manifestations. His country was a multi-racial and pluralist society, composed of some 100 ethnic groups. The Arab citizens of Israel enjoyed equal civil and political rights. They had full freedom of assembly, speech and movement and practised their religion and culture in absolute freedom. Arabic was one of the two official languages in Israel. Arabs exercised their right to vote in national and local elections and had important positions in the Government, legislature and judiciary.

63. Israel condemned *apartheid* both as an ideology and a political system in the strongest possible terms and called for an end to that utterly repugnant and intolerable form of racial discrimination. Its opposition to *apartheid* was not confined to declarative condemnations; Israel had curtailed its relations with South Africa in various fields and had limited its trade with that country. While some Middle Eastern countries continued to sell oil to South Africa in enormous quantities and ship that commodity through tortuous routes to South African ports, Israel was extending special assistance to the South African black community through training and the holding of seminars.

(Mr. Gvir, Israel)

64. He rejected the false comparison drawn between the situation in South Africa and that prevailing in the Israeli-administered areas of Judea, Samaria and the Gaza district in order to defame his country. Those territories had come under Israeli administration as a result of the concerted Arab war of aggression against Israel in 1967 and were being held by Israel pending peace negotiations to determine their permanent legal status. The charge that Israel had disenfranchised the Palestinians was a patent absurdity since the Palestinians were not and had never been Israeli citizens and did not claim or desire such citizenship. His country would continue to seek a negotiated settlement of the Israeli-Palestinian dispute within the framework of a comprehensive, genuine and lasting settlement of the Arab-Israeli conflict. In that context, Israel had proposed that the Palestinian inhabitants of Judea, Samaria and the Gaza district should hold free and democratic elections in order to elect, not select, representative leaders able to negotiate freely with Israel. The PLO was vehemently opposed to Israel's peace plan and systematically liquidated all Palestinians who disagreed or stepped forward to negotiate with Israel. One should not, therefore, blindly blame Israel for blocking the peace process between Israel and the Arabs.

65. Mr. RAZZOOKI (Kuwait) said that, after having been a member of the Committee from 1977 to 1988, he had never imagined that he would return to it to explain the barbaric invasion and annexation of his beloved country by another so-called Arab country, Iraq.

66. There had recently been unprecedented progress in the fight against racism and racial discrimination and foreign occupation. The cold war was over; the Berlin Wall had fallen and the two Germanys had been united. All those changes indicated that a new era and a new order of relations were being established between nations and peoples on the basis of brotherhood, reconciliation and respect for international law and the covenants on human rights. His people's dreams and aspirations for a better world had been shattered violently and systematically since 2 August 1990, the day on which Iraqi forces had invaded his country and which would be remembered in the history of Kuwait as the day of infamy. It was unbelievable and unimaginable, but possible because the so-called brotherly neighbour was a ruthless and adventurous dictator, intoxicated with the desire for unlimited power and hegemony.

67. What had happened had been a flagrant and brutal aggression against his country, which had caused an unprecedented crisis in the history of the United Nations. In post-war history, no country had ever overrun a sovereign, independent State and a Member of the United Nations, annexing it by force and working fervently to erase its name and entire identity from the political map of the world. That aggression represented a challenge to the Charter of the United Nations and the international legal order. It had occurred now, in the 1990s, not in the Middle Ages. Iraq had invaded Kuwait with over 150,000 troops and hundreds of tanks, guns and aircraft. The brutal Iraqi occupation forces had deliberately waged an organized campaign of killing and torturing unarmed civilians and had destroyed and plundered industrial installations and warehouses, robbing banks and seizing public and private property. Even hospitals had not been spared the acts

(Mr. Razzooki, Kuwait)

of looting: medical equipment, including kidney dialysis machines and infant incubators, had been shipped to Baghdad, resulting in numerous deaths of premature babies. Clearly, Saddam Hussein's order to his vicious soldiers had been: "Pillage the country". Destruction, torture and summary executions were now the order of the day in Kuwait. Furthermore, hundreds of thousands of nationals of other countries had been made homeless and robbed of their savings; and others had been held hostage against their will.

68. The world now knew that the Iraqi régime represented the forces of evil. No act in history had ever been condemned so unanimously - by the Arab, Islamic, and non-aligned countries, at the international level, and in the Security Council - as the invasion of Kuwaiti territory by Iraqi forces had been.

69. Lastly, his delegation expressed the gratitude of the Kuwaiti people and their Government to all those who had demonstrated in the Committee their determination to preserve the objectives enshrined in the Charter of the United Nations and show the Iraqi régime that the peoples of the United Nations had a common destiny: to oppose the forces of tyranny.

70. Mr. MENON (India), speaking in exercise of the right of reply, said that the attempt by the representative of Pakistan to start a quarrel over the Indian state of Jammu and Kashmir was malicious and that the representative had referred to certain United Nations resolutions without mentioning that for some time now Pakistan itself had been violating the resolutions calling for the withdrawal of Pakistan from so-called occupied Kashmir. The process of self-determination recognized by the United Nations was designed to bring about independence from the colonial Powers and could not be applied to integral parts of sovereign States; for that reason, the interpretation of self-determination put forward by the representative of Pakistan might undermine the very basis of the current world order.

71. There was no need to refer to India's record with regard to democracy and human rights. The attempt by Pakistan to call it into question only revealed its ignorance of how constitutional guarantees for human rights functioned in a democracy like India. Furthermore, there was sufficient information on the human rights violations which Pakistan had committed against its own citizens.

72. The arguments put forward by Pakistan constituted interference in the internal affairs of India and an attempt to exploit the situation in another country for short-term goals. Accordingly, he suggested that Pakistan should stop associating with terrorists, obscurantists, fanatics and fundamentalists, renounce hostility and the perverse satisfaction that some people seemed to derive from the difficulties experienced by others, and join India and the rest of the world in order to strengthen mutual trust and friendship.

The meeting rose at 6.15 p.m.

UNITED NATIONS
General Assembly
FORTY-FIFTH SESSION
Official Records

THIRD COMMITTEE
10th meeting
held on
Tuesday, 16 October 1990
at 6 p.m.
New York

SUMMARY RECORD OF THE 10th MEETING

Chairman: Mr. SOMAVIA (Chile)

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AGENDA ITEM 88: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (continued)

AGENDA ITEM 91: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)

AGENDA ITEM 98: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued)

AGENDA ITEM 103: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (continued)

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Distr. GENERAL
A/C.3/45/SR.10
22 October 1990

ORIGINAL: ENGLISH

The meeting was called to order at 6.15 p.m.

AGENDA ITEM 88: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (*continued*) (A/45/552)

AGENDA ITEM 91: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (*continued*) (A/45/18, A/45/139, A/45/140, A/45/174, A/45/178, A/45/202, A/45/203, A/45/216, A/45/222, A/45/225, A/45/254, A/45/265, A/45/269, A/45/402, A/45/406, A/45/579)

AGENDA ITEM 98: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (*continued*) (A/45/3, chap. III, sect. A, A/45/174, A/45/443, A/45/525)

AGENDA ITEM 103: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (*continued*) (A/45/488, A/45/500)

1. Mr. SEZAKI (Japan) speaking in exercise of the right of reply, said that the statement made on the previous Friday by the Special Rapporteur might have caused certain misapprehensions regarding Japan's policy toward South Africa. Although the Japanese Government believed that the economic prosperity of the world was best served by a free trade system, its abhorrence of *apartheid* ensured its strict adherence to the various resolutions adopted against that policy. It had accordingly implemented several trade control measures, in addition to those already applied to diplomacy, investment, sport, and cultural and educational exchange. Japan had consistently complied with the United Nations arms embargo against South Africa and had banned the export of computers and the import of iron and steel.

2. Following the Japanese Government's appeals to its business community to exercise restraint towards South Africa, trade with that country had decreased significantly between 1987 and 1989, in the context of a general increase in Japan's total trade, and currently constituted a mere 0.77 per cent of Japan's total trade volume.

3. Mr. WARADI (Fiji), speaking in exercise of the right of reply, said that the comments by the representative of India constituted an unwarranted interference in the internal affairs of his country. Fiji had made excellent progress in the complex task of reconciling the different groups in its society without bloodshed, in stark contrast to India, with its unenviable record of violence and human rights violations. The President of Fiji, when promulgating Fiji's Constitution earlier in the year, had noted the problems the country faced in striking a balance between the two major groups in its multiracial society. The indigenous inhabitants were in the minority and it was therefore necessary to protect their culture and even their very existence. For that reason, the new Constitution emphasized the protection of all rights and freedoms, regardless of race, colour, sex, place of origin or political and religious persuasion. The record of the last three years

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showed that Fiji was working out its differences and did not therefore need to be admonished by States whose record of human rights abuses filled many volumes.

4. Mr. AL SAUD (Saudi Arabia), speaking in exercise of the right of reply, said that the representative of Iraq had had the audacity to describe the presence of an international force in the Gulf area as an occupation of sacred lands. Those lands were in fact in the hands of people responsible to God, namely, the Saudi Government, which had been forced by Iraq's aggression to have recourse to assistance from the multinational force. That force was stationed thousands of kilometres from the holy places and its mandate was to preserve peace and security in the region.

5. The participation of 26 countries in the peace-keeping force was a clear indication of the unswerving commitment of the international community to side with Kuwait. All attempts by Iraq to assert its own righteousness and to put others in the wrong must be seen as diversionary tactics, aimed at covering up its own criminal actions. He insisted that Iraq must accept immediate withdrawal, in order that Kuwait could recover its sovereignty and dignity as a nation.

6. Mr. MARKS (United States of America), speaking in exercise of the right of reply, said that there was some truth in the allegation by the representative of Iraq that his country was the victim of a world-wide conspiracy led by the United States. There was indeed a world-wide effort to force Iraq to rescind its occupation of Kuwait, exemplified by the world-wide embargo of Iraq. The solution to Iraq's problem was simple: it must end its aggression against Kuwait and withdraw its troops. That was the position of the United States Government and of the international community.

7. Mr. GVIR (Israel), speaking in exercise of the right of reply, said that the inflammatory defamations concerning Israel made by the representative of Libya had not come as a surprise, for Libya advocated the destruction of Israel and its President had repeatedly incited the Arab world to slaughter and deport all Jews from the territory of Israel. In statements made earlier in the year, the Libyan President had said the liberation of Palestine was merely a matter of time and that Palestine would be a grave for the Jews. The Libyan leader had called for the abolition of Israel, warning that Palestine would be another oven for the Jews if they did not leave it in time. He had even proposed Alaska, Estonia or Lithuania as good places for the Jews to settle.

8. It was clear, therefore, that the Libyan concepts of peace, diplomacy and human relations differed markedly from those of enlightened nations. The essence of the Qaddafi régime consisted in its pursuit of power, the practice of coercion, threats, swaggering and aggression, the destabilization of neighbouring States, the stockpiling of chemical arms and nerve gas, the kidnapping of foreign nationals and the use of assassination squads. Libya had become the powerhouse and focal point of international terrorism, with responsibility for terrorist acts perpetrated throughout the world. Terrorist crimes were the hallmark of Libyan diplomacy and Libya was the very embodiment of evil in the eyes of the world.

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(Mr. Gvir, Israel)

9. He wondered if the representative of Libya could explain the need to stockpile 1,000 tons of plastic explosives, sufficient to destroy all the airliners ever made. If those materials were intended for pharmaceutical purposes, it was to be wondered whether their customers might include such organizations as the Irish Republican Army, the Red Brigade or the Palestinian terrorist factions.

10. Mr. ZAFIR-UL-HAQ (Pakistan), speaking in exercise of the right of reply, said that the Indian allegations that Pakistan was interfering in Kashmir, and therefore in the internal affairs of India, were utterly baseless. Pakistan supported the establishment of an impartial international observer group in the region to investigate such allegations but India had opposed it. He regretted that the issue of Kashmir remained very timely and that a large number of people had been killed in the conflict over the past 10 months.

11. In view of the bloodshed in the region, the Indian Government had been exhorted to redouble its efforts to establish political dialogue and Indian allegations of interference were merely an effort to sidestep the issue.

12. Despite efforts by India to persuade the world to the contrary, Pakistan had always maintained that Kashmir was not an integral part of India. India had brought the Kashmir issue to the United Nations as long ago as 1947 but had rejected all the relevant United Nations resolutions. The matter could have been resolved long ago, if the General Assembly and Security Council mechanisms, which had proved successful in India and Pakistan, had been allowed to bring Kashmir to self-determination. India, however, had refused to co-operate and to abide by its solemn commitments to the United Nations and to the world.

13. Pakistan had repeatedly drawn the attention of the Indian delegation to the provisions of the General Assembly and Security Council resolutions calling for the demilitarization of the entire Kashmir region.

14. Mr. ALLAFI (Libyan Arab Jamahiriya), speaking in exercise of the right of reply, said that the response to the Zionist representative's stereotyped speech could be found in thousands of pages of United Nations documents which showed who was being slanderous. The Zionist representative's comments regarding statements made by Mr. Qaddafi were totally incorrect. Unless a solution was found to the problem which the Jews themselves had created, the result would be a catastrophe for the Jews.

15. Israeli laws discriminated against the Palestinians in the occupied territories. Zionism perpetrated institutionalized Israeli racism, in particular, through the law of return of 1955 and the law on nationality of 1952, which applied different rules to Jewish and non-Jewish immigrants with respect to citizenship.

16. Mr. JOUSHAN (Afghanistan), speaking in exercise of the right of reply, said, with reference to the statement by the representative of Pakistan, that any interference in Afghanistan was contrary to the Geneva Agreements on the Settlement of the Situation Relating to Afghanistan, of which Pakistan was a signatory. The Government of his country had notified the Office of the Representative of the

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Secretary-General in Afghanistan and Pakistan of over 1500 violations by Pakistan. He failed to see how the military circles of Pakistan, which had again sabotaged the will of the people of Pakistan by dissolving the civilian Government, could claim to speak on behalf of the Afghan people.

17. Mr. MENON (India), speaking in exercise of the right of reply, said that selective references by the representative of Pakistan in support of false arguments did not make them true. Pakistan persisted in stoking the fires of confrontation and hostility in the region, and the fact that the representative of Pakistan had just referred to other parts of India betrayed his country's motives. He urged Pakistan to listen to reason and abandon its misguided attempts to secure short-term gains through its interference in Jammu and Kashmir. Pakistan should join his own country in building relationships based on confidence and co-operation in a changing world.

18. In reply to the statement by the representative of Fiji, he said that his delegation had referred to State-inspired discrimination in that country against one of its own communities. The events in India's open society, in which all human rights were constitutionally ensured, were simply an expression of those rights and bore no resemblance whatsoever to the selective promotion and corresponding suppression of human rights by the authorities concerned in Fiji.

19. Mr. MOHAMMED (Iraq), speaking in exercise of the right of reply, said that the United States representative had sought to accuse others in an effort to falsify reality. United States forces had occupied sacred Arab lands with a view to realizing an old dream of bringing the Arab nation under the United States yoke in order to protect zionism and allow the Zionists to perpetrate the genocide of the Palestinians and achieve their expansionist dreams by conquering Palestine. The United States occupation was protecting those who sold oil and had delivered the Islamic holy lands to foreigners. The United States was also trampling on the human rights and the right to self-determination of the Palestinian peoples.

20. Moreover, the United States had sought to remove all substance from the Security Council resolution condemning the recent Israeli aggression against Palestinians in the occupied territories, and the United States was endeavouring to use the Security Council as a shield to hide its true designs. The United States had enforced an embargo against Iraq even before the Security Council had adopted the relevant resolution, thus depriving the population of food. The United States administration was opposing all positive efforts to achieve peace.

21. Mr. GVIR (Israel), speaking in exercise of the right of reply, said that the Iraqi representative's slanderous defamation of Israel had nothing to do with the Committee's agenda and could easily be refuted. However, he preferred to leave the task of quarrelling with the representative of Iraq to the representative of Kuwait, whose very moving statement showed how Iraq had systematically violated the national sovereignty and territorial integrity of Kuwait and trampled upon every human right of that brotherly Arab people. He extended his most sincere congratulations to the representative of Kuwait for having so masterfully discharged himself of his duties.

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22. Mr. ZAFAR-UL-HAQ (Pakistan), speaking in exercise of the right of reply, assured the representative of India that Pakistan sincerely desired to normalize relations with India; however, that would happen only if India did not seek a military solution to the Kashmir dispute.

23. With regard to the remarks by the Kabul representative, he said that that speaker's reference to so-called military circles in Pakistan indicated that he was ignorant of the situation in his country. Pakistan had an elected president and an elected government. As to the comments concerning the dismissal of an elected government, the steps taken to lead to new elections were fully in accord with the Pakistan Constitution and had been upheld as such by the judiciary. The civilian government was functioning.

24. The fundamental cause of the conflict in Afghanistan was the failure of the Kabul régime to come to terms with the fact that that régime was not acceptable to any segment of the Afghan nation except the coterie of party followers. Peace and stability could be restored in Afghanistan only if power was transferred to a broad-based government acceptable to the Afghan people, as called for in General Assembly resolution 44/15. His country would continue consistently to support the right of the Afghan people to self-determination, free from any outside intervention or coercion.

25. Mr. AL SAUD (Saudi Arabia), speaking in exercise of the right of reply, said that his earlier reply to the representative of the Iraqi régime was sufficient. He urged that representative to show respect for the members of the Committee and refrain from diatribes and falsifications.

26. Mr. RAZZOOKI (Kuwait), speaking in exercise of the right of reply, said that he would not dignify the representative of Iraq with a reply to the lies he had stated. Addressing himself to the Chairman, he emphasized that the heart of the issue was the occupation and pillaging of Kuwait, and he called for the implementation of the relevant Security Council resolutions. Citing a statement by the British Foreign Secretary, Mr. Douglas Hurd, he emphasized that the Iraqis must be made to realize that they must leave Kuwait and that it would be better if they did so peacefully.

27. Mr. WARADI (Fiji), speaking in exercise of the right of reply, said that he had not been surprised at the statement of the representative of India. Mutual respect, tolerance and understanding had characterized the happy co-existence of the people of Fiji for over 100 years. The people of Fiji would continue to work together for a prosperous, united and peaceful nation. His country had made good progress towards that goal and its record spoke for itself.

28. The CHAIRMAN said that the Committee had now concluded its general discussion of the first cluster of agenda items.

The meeting rose at 7.10 p.m.

UNITED NATIONS
General Assembly
FORTY-FIFTH SESSION
Official Records

THIRD COMMITTEE
11th meeting
held on
Wednesday, 17 October 1990
at 3 p.m.
New York

SUMMARY RECORD OF THE 11th MEETING

Chairman: Mr. SOMAVIA (Chile)

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AGENDA ITEM 96: POLICIES AND PROGRAMMES INVOLVING YOUTH

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Distr. GENERAL
A/C.3/45/SR.11
1 November 1990
ENGLISH
ORIGINAL: SPANISH

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 90: WORLD SOCIAL SITUATION (A/45/137-E/1990/35)

AGENDA ITEM 92: IMPLEMENTATION OF THE WORLD PROGRAMME OF ACTION CONCERNING DISABLED PERSONS AND THE UNITED NATIONS DECADE OF DISABLED PERSONS (A/45/470)

AGENDA ITEM 96: POLICIES AND PROGRAMMES INVOLVING YOUTH (A/45/225, 227, 280, 338 and 422)

AGENDA ITEM 99: QUESTION OF AGING (A/45/207 and 420)

AGENDA ITEM 104: INTERNATIONAL YEAR OF THE FAMILY (A/45/365; A/C.3/45/3)

1. Miss ANSTEE (Director-General, United Nations Office at Vienna) said that when she had addressed the Committee the year before, she had remarked on the startling transformation taking place in the global political climate and the infinitely better atmosphere in which social problems could be addressed in international debate. The unforeseeable events which had taken place since then had transformed the world, with profound consequences for the work of the United Nations. Those who had worked principally with development questions, particularly on programmes aimed at helping the peoples of the developing countries, had at last seen the prospect of their dream becoming a reality, i.e. that the relaxation of tension between East and West would allow greater resources and political and intellectual energy to be devoted to bridging the other great divide, between North and South. That vision had been dimmed somewhat by recent reminders that grave conflicts still persisted. Nevertheless that vision should be kept in view; otherwise, the world would witness even more sanguinary conflicts.

2. If that vision was to become reality, the positive changes which had occurred must usher in a new era of international co-operation for development and social progress, particularly in the developing countries. For that to happen, the United Nations must speak with a clear and unequivocal voice on social development and social justice issues that had for so long been relegated to second place nationally and internationally. That had been the purpose and the challenge when, as part of the reform of the United Nations inspired by the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations, the United Nations Office at Vienna (UNOV) had been made the focal point within the Secretariat for all programmes relating to social policy, social development and the abuse of and illicit trafficking in drugs.

3. UNOV had achieved some notable successes, particularly, but not only, in the field of narcotic drugs. In the social sector, new approaches to integrating social policies and goals in development strategies had been pioneered and efforts had been made to promote the implementation of measures adopted by the international community at conferences relating to the advancement of women, the disabled, the aging, youth and crime prevention. One of the Office's greatest

(Miss Anstee)

achievements had been the establishment of closer links between the units responsible for carrying out those programmes, which were so evidently interrelated. Every effort had been made to overcome the persistent lack of resources by streamlining organization and procedures and seeking out innovative funding methods. In 1989, UNOV had suffered a serious setback when the General Assembly had decided not to endorse the Secretary-General's proposals to transfer to Vienna the social functions still remaining in New York, along with some very modest resources corresponding thereto. That denial had been disappointing at the time, particularly when it had become apparent that the strategy which had informed all the Office's efforts since 1987 would remain truncated.

4. During the current session, the General Assembly would consider issues whose resolution would decide the future of UNOV. One of those was the strengthening of the Office, a subject on which the Assembly had asked the Secretary-General to report in its resolution 44/201 B II, the same resolution in which it had rejected his proposal to transfer the remaining social functions from New York. Another issue was the restructuring of the programmes and units at Vienna working with the drug problem. Yet a third was the allocation of funds for drug and crime prevention programmes from the Contingency Fund. It was her hope that the decisions reached on those issues would be based on a careful examination of their history and would reflect the need to ensure a multidisciplinary approach to problems that were inseparable.

5. Various convulsions in the global economy in recent years had forced many countries to adopt austerity measures which had had an immediate effect on the weaker segments of society. Those measures had compounded the problem of poverty. Poverty was not a lack of adequate income for a decent life, but a complex set of circumstances which entrapped people and from which there was no easy escape, e.g. a lack of economic opportunities, limited horizons, inadequate access to services, limited participation, discrimination and helplessness. Many of the Office's activities were in fact intended to help eliminate the root causes of poverty.

6. One positive consequence of the current prolonged crisis was that many countries had begun to re-evaluate past development policies and approaches. Current trends had gone beyond concern for alleviating the damage done by adjustment measures to society's weaker segments towards a search for approaches that would enhance economic efficiency and promote economic expansion. One of the main lessons of the recent past was that successful development required a socio-political framework that combined incentives with justice. UNOV, together with such major funding organizations as the United Nations Development Programme (UNDP) and the World Bank, had helped to bring forward new ideas. She looked forward to closer collaboration with those institutions and with the International Monetary Fund, particularly in providing direct support for country efforts.

7. The year before, she had referred to the project which UNOV was carrying out in Bolivia. Since that time, with the support of UNDP and a number of bilateral donors, the Office had initiated parallel activities in several countries, including the United Republic of Tanzania, Chad and Indonesia. She drew particular

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(Miss Anstee)

attention to the support given to Peru's efforts to deal with its profound economic and social crisis, not only because she was directly involved in that endeavour in her capacity as Special Representative of the Secretary-General, but also because the concept of an emergency social programme, introduced as an integral part of a stringent economic stabilization plan and evolving in a few months into a genuine social development programme, was an innovative concept that, if successful, could be of interest to other countries in similar straits.

8. There had been a strong demand for the services of the new Interregional Advisor on Social Policies and Development, a post funded by the Department of Technical Co-operation for Development. The Interregional Advisor had already visited several countries in all continents. As part of United Nations efforts to strengthen national capacities for social analysis and the design and implementation of integrated socio-economic policies, UNOV had recently organized a meeting at Helsinki with generous support from the Government of Finland. The meeting had been attended by government experts from donor and recipient countries all over the world. Discussions had clearly indicated the need and the will to strengthen co-operation for social development. It was also recognized that many obstacles stood in the way. The meeting had agreed on a number of suggestions to support the work done by ministries of social affairs and to give greater emphasis to the social dimension in the planning and policy-adoption processes. The report of the meeting would be considered as a priority item at the next session of the Commission for Social Development. Several recommendations might serve to enhance the effectiveness of the work of UNOV, particularly in the context of the new international development strategy for the fourth United Nations development decade.

9. The role of the United Nations in championing the cause of the poor, the underprivileged and the excluded had not been as successful as hoped. It was true that plans of action had been ambitious, but results had fallen short of even conservative expectations. The United Nations Office at Vienna had therefore taken a number of initiatives, with the support of the Commission for Social Development, the Economic and Social Council and the Third Committee of the General Assembly, to translate intentions into action. The various non-governmental organizations which worked with the United Nations had provided invaluable suggestions as to how that might be done.

10. She shared the concerns expressed by several delegations regarding the status of documentation for the debate on the items before the Committee. There were still a number of difficulties in providing the required documents on time. The United Nations Office at Vienna, apart from its straitened resources, had a problem in that most of its reports were based on information supplied by Member States which came either very late or, more often, not at all. In order not to present very unrepresentative reports, the Office waited until the very last moment in the hope of including the greatest possible number of replies. She renewed her earlier appeal that the Third Committee consider methods of collecting information other than asking Member States to fill out questionnaires. That approach was unproductive and wasteful of scarce resources.

(Miss Anstee)

11. She hoped that the Third Committee would give careful consideration to the proposals set forth in the reports to be introduced later by Mr. Sokalski, Director of the Social Development Division of the United Nations Office at Vienna. The reports contained indications of the resources that might be required, over and above the levels currently available under the regular budget. Reference was made in them to new methods being employed to increase extrabudgetary resources, through the Global Project to promote the United Nations Decade of Disabled Persons and, in the field of aging, through the proposed Banyan Foundation. Nevertheless none of those extrabudgetary resources could substitute for a sounder basis of resources from the regular budget. The proposals contained in the reports emphasized operational activities and support at the country and field levels.

12. The same need had been emphasized at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana fom 27 August to 7 September 1990, of which she had had the honour to be Secretary-General. The central theme of the Congress had been recognition that increased criminality and corruption in public administration impeded economic growth and social development. One of the most important consensus resolutions adopted by the Congress recognized that the social aspects of development were an important factor in an effective strategy for crime prevention and criminal justice. A further resolution adopted contained 23 recommendations on international co-operation for crime prevention and criminal justice in the context of development. The Congress had adopted by consensus 46 resolutions dealing with critical contemporary problems such as organized criminality, terrorism, protection of the environment, theft of national treasures, computer-related offences, illegal financial transactions, corruption, abuse of power, urban crime, illicit drug trafficking, drug abuse and use of children in criminal activities. To deal with those pernicious phenomena, the Congress had also endorsed model treaties, co-operative programmes and specific actions.

13. The Eighth Congress had been marked by a spirit of collaboration and readiness to exchange expertise and experiences. Many bilateral and multilateral initiatives had been launched. The co-operative atmosphere had been nourished through the generous hospitality and excellent facilities provided by the Cuban Government. Almost all the resolutions adopted by the Congress had placed emphasis on providing practical assistance to Governments to implement the norms and instruments adopted by the international community. The Congress had also adopted a decision asking the Secretary-General to give priority attention to practical measures and technical co-operation to combat international crime. Most countries had stressed the need for practical assistance to deal with increasingly complicated problems of crime in the contemporary world. She hoped that the United Nations would do its utmost to fulfil those expectations.

14. She proposed that, rather than developing and adopting new instruments, the next Congress should take stock of what had been accomplished and analyse what was needed in order to implement the norms promulgated by the United Nations so that they would have a demonstrable impact around the world. That would allow the United Nations Office at Vienna to devote its scarce resources to that key

(Miss Anstee)

endeavour. The gap between needs and capacity remained great. In recognition of that fact, the Congress had recommended that the General Assembly should establish an intergovernmental working group to draw up proposals for a more effective international crime and justice programme. Those proposals would be submitted to a ministerial meeting, which would also consider mechanisms for setting priorities and monitoring results. Member States had been invited to provide active support. That would be the proof of their commitment. Although the foundations were in place, much remained to be done. She called for the approval of additional resources so that the secretariat of the Congress could carry out the myriad tasks assigned to it. She hoped that the necessary resources would be approved from the Contingency Fund so that work could begin as soon as possible.

15. With reference to the advancement of women, she said that the United Nations Office at Vienna had served as the focal point of the United Nations system in the attainment of the objectives of the Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000. The Commission on the Status of Women had during the year reviewed and appraised progress made in the first five-year period. Its conclusions had been embodied in resolution 1990/15 of the Economic and Social Council, which had stated that, unless prompt remedial action was taken, the goals of the Strategies would not be attained. The interregional consultation on women in public life would be convened in 1991, and would address the questions of full participation by women in the political process. The world conference on women, to be convened in 1995, would carry out the second review and appraisal. What must be kept at the forefront was that the advancement of women was an essential element in all economic and social progress. It was a priority that must be maintained, if the Organization was to be true to its central purpose.

16. Referring to trust funds, she said that particular importance was attached to the voluntary funds for financing field projects in the areas of disability, aging, youth, women and social defence. At the recent Congress on the Prevention of Crime, a number of pledges had been announced for the United Nations Trust Fund for Social Defence, which supported the United Nations Interregional Crime and Justice Research Institute, the regional institutes and, increasingly, operational projects for crime prevention and criminal justice. Additional resources would help to carry out the recommendations of the Congress and make it possible to meet the many requests for assistance arising from the work of the Interregional Adviser in Crime Prevention and Criminal Justice. She was grateful to those Governments which had generously contributed to all the voluntary funds and appealed to those Governments which had not done so to consider the possibility of making a contribution.

17. In conclusion, the United Nations Office at Vienna was renewing its efforts on three broad fronts: integrated treatment of substantive programmes which had previously been considered discrete activities; consideration of the work of the Office in the broader context of the Secretariat's tasks in the economic and political areas; and greater emphasis on the importance of operational activities in co-operation with the United Nations entities concerned. That was especially true of its function as the nucleus for social policy and development activities and activities relating to drug abuse control.

18. Mr. SOKALSKI (Director, Social Development Division) reviewed the activities of the Social Development Division over the year and said that in many cases, countries displayed little will with respect to social issues and devoted no attention to them. That was reflected, above all, in the lack of resources so essential to the national effort to establish the necessary institutions and frame the policies through which social development could flourish and be shared by all.

19. Owing to the late date of the Eighth Congress on the Prevention of Crime and the very ambitious and complex mandates emanating from that important meeting, the Committee did not yet have all the documents relating to the item on crime prevention and criminal justice.

20. Since its inception the United Nations had been concerned with issues related to specific population groups. That work had gained prominence through the preparation and observance of the International Year of Disabled Persons in 1981, the Decade of Disabled Persons (1983-1992), the World Assembly on Aging in 1982 and the International Youth Year in 1985. Each of those special events had culminated in the adoption of a major international instrument in the form of a plan or programme of action, which had provided a basis for the promotion of human development. The United Nations Office at Vienna had recently been entrusted with the task of preparing for the International Year of the Family to be observed in 1994.

21. The forty-fifth session of the General Assembly was of particular importance in that connection, as the Secretary-General would submit three important reports on social groups: a feasibility study on alternative ways to mark the end of the United Nations Decade of Disabled Persons with specific policy options for future strategy (A/45/470); a draft proposal for the observance of the tenth anniversary of the World Assembly on Aging (A/45/420); an analytical report on the implementation of the guidelines for the follow-up of the International Youth Year (A/45/422) and a Note on the International Year of the Family (A/45/365). Some difficulties had been encountered in the preparation of those reports and he would be grateful if the Committee could provide guidance on how to proceed in future in order to prepare reports on time when, in reality, sufficient and representative contributions had not been received.

22. In the opinion of experts who had advised the Secretary-General in the preparation of the report on the World Programme of Action concerning Disabled Persons, the end of the Decade should be marked by high-visibility activities. Should the Assembly decide to implement some of the proposals, the Secretary-General would submit the financial and administrative implications of the recommendations contained in the feasibility study. Those recommendations should not be seen as a means of insisting on new measures which would swell the United Nations budget, but rather as a faithful reflection of the resource requirements for implementing the bare minimum of what had been proposed by the meeting of experts. It should be stressed that implementation of any of the proposals contained in the report was contingent on the approval of its financial implications, as specified in the document.

(Mr. Sokalski)

23. The programme of activities on aging for 1992 and beyond contained a proposal to observe the tenth anniversary of the adoption of the International Plan of Action on Aging in 1992. Following its approval by the General Assembly, a calendar of events would be opened. The calendar, together with the targets identified as feasible, would be submitted to the General Assembly at its fourth-seventh session, in 1992. He looked forward to the Committee's comments on the draft and on possible ways and means of disseminating and implementing its contents.

24. The report prepared on youth contained an overview of the activities undertaken in order to implement the guidelines for further planning and suitable follow-up in the field of youth, with particular emphasis on activities by Member States, United Nations agencies and bodies, non-governmental organizations and the HOPE 1987 initiative. One of the highlights of the report was the observance of the tenth anniversary of the International Youth Year in 1995, which would surely provide an opportunity to renew action at all levels. The report provided a framework for the adoption of collaborative measures between Governments, the United Nations system and the non-governmental organizations in order to identify strategies and realistic targets for the future. The United Nations had recognized the vital importance of young people, their potential to approach the problems facing mankind from a fresh perspective and their ability to embrace the ideals of the Charter. He reaffirmed the hope that Member States would continue to send youth representatives as part of their national delegations to the General Assembly and the Commission for Social Development which, in early 1991, would review, as a priority item, the problem of the integration of young people in society.

25. As Co-ordinator for the International Year of the Family, he wished to point out that the preparatory work had been carried out with three basic factors in mind: that the International Year of the Family was the first intergenerational and multidisciplinary event with a strong and unambiguous focus on the local and national levels; that few of the previous international years had had so little lead time between their proclamation and observance; and that, in assigning to the United Nations Secretariat an important role in activities preparatory to and in observance of the Year, the Assembly had not made any budgetary provisions for the purpose in the current programme budget. Under the circumstances, the United Nations should assist national efforts and the efforts of intergovernmental and non-governmental organizations in support of national-level activities, in accordance with international human rights and social policy standards approved by the General Assembly. In view of the magnitude of the International Youth Year, little could be done without resources, unless the secretariat for the Year was turned into a small, but efficient unit. On the substantive side, the situation was far brighter. Many international initiatives had coincided with preparations by the United Nations. In that connection, he wished to express his appreciation for the contribution by UNICEF whose crowning effort had been the World Summit for Children, at which a World Declaration and Plan of Action had been adopted.

(Mr. Sokalski)

26. In view of the relatively short time available for the preparation of the Year, the General Assembly might wish to urge all States, relevant United Nations organizations, concerned intergovernmental and non-governmental organizations, and communications media to join in the preparations for, and the observance of, the Year. Second, in order to facilitate preparations at the local and national levels, the General Assembly might wish to invite all States to take prompt action to establish mechanisms such as national co-ordinating committees for the International Year of the Family. Third, following the practice of previous international years, the General Assembly might wish to explore the feasibility of establishing a voluntary trust fund for the International Year of the Family for the purpose of preparing the Year and providing technical assistance, particularly to the least developed countries.

27. With respect to methods of work, as the Secretary-General had stated, common sense was beginning to replace the ideological obsessions of the past, and sustained attention should be devoted to the ills that afflicted society at the present time. The new state of international relations called for less conventional ways of handling social policy issues in the United Nations, which was not an easy task, especially since restructuring attempts had thus far been unsuccessful. In particular, there was a need for a new system of reporting to the legislative organs; less superficial follow-up of previous mandates and an innovative programme of mandates which would adapt the activities in the area to the changed and changing world realities. An effort should also be made to determine how much information produced by the Secretariat Member States were able and willing to absorb effectively.

28. Another question that had to be considered was whether the format of debates on social issues in the Third Committee really benefited Member States and gave the Secretariat the guidance it needed and whether debate on a corpus of major social issues could really be confined to just 9 or 10 meetings of a rather general nature.

29. Speaking with the sense of responsibility of someone who had worked for over 20 years as a member of a delegation and had participated in the discussions of the Fifth Committee, he stressed that the resources available in the areas of social development were totally inadequate to run a programme of that magnitude effectively. In conclusion, he said that he would be happy to attend a meeting to exchange views and share experiences with delegations interested in informally discussing the work and functioning of the programme in the social sphere.

30. Mr. HOEGH (Special Representative of the Secretary-General for the United Nations Decade of Disabled Persons) said that, with two years to go until the end of the United Nations Decade of Disabled Persons, while everyone recognized that progress had been made, it had not been as great as had been hoped when the World Programme of Action concerning Disabled Persons had been approved. The pace and extent of progress varied from country to country, owing to continuing major differences in the ways in which the Governments of the rich and the poor countries perceived the needs of disabled persons.

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(Mr. Hoegh)

31. No country represented in the Committee could allow itself the luxury of ignoring the potential of its disabled communities. If society gave them the chance to participate fully in all its activities, disabled persons would be able and willing to make a useful contribution to the economic and social growth and development of their community. Everyone, including Governments, should contribute to making such participation possible.

32. The most important practical proposal was that all countries should have a national co-ordinating committee on disability issues. In the countries that had achieved the most progress, such national co-ordinating committees had proved extremely useful. It was even more useful to have committees responsible for the supply of technical aids as well as for building accessibility, teaching, transport and housing. In drawing up and implementing legislative and other measures, all Governments, government ministries and organizations should be more systematic in consulting the disabled. Also, donor countries, donor country development aid organizations and recipient countries should review their bilateral assistance programmes and requirements in order to assign higher priority to measures benefiting not only women but disabled persons as well. Greater attention should be given to the local production and distribution of technical aids for the disabled since most disabled people were unable to take advantage of the limited opportunities available to them because they lacked such necessary equipment as wheel chairs, artificial limbs and other prostheses and orthopoedic equipment. In addition, the Governments that had not yet done so should adopt regulations governing access to public buildings, schools, transportation and communications facilities. Experience showed that it was cheaper to provide new or renovated facilities accessible to the disabled than to provide separate facilities and services for them since it was far better from the economic standpoint to have the disabled participate actively in the social and economic development of their communities than to have to provide them with the costly assistance they would otherwise need.

33. All Governments should realize the invaluable role that the Voluntary Fund for the United Nations Decade of Disabled Persons played in the World Programme of Action. Contributions received through that Fund constituted one of the most efficient and economic means of carrying out the many necessary projects of interest to disabled persons. All countries should contribute to the Fund during the next annual pledging conference. They should also participate in the international information and fund-raising campaign that would be organized during the final years of the Decade.

34. Lastly, isolated measures with respect to legislation, programmes, policies and procedures to assist the disabled should be integrated into other existing or proposed legislation and policies so that the necessary adjustments could be made to reflect the interests of disabled persons.

35. Mr. TRAXLER (Italy), speaking on behalf of the European Community, said that, in the opinion of the Twelve, the easing of international tensions should make it possible to devote resources and energies to the analysis and solution of social problems with the aim of improving the living conditions of people the world over.

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(Mr. Traxler, Italy)

The European Community wished to reaffirm its determination not to allow the important political changes taking place in Eastern Europe to undermine its commitment to the economic and social enhancement of the developing countries.

36. The documents that he had consulted in preparing his statement (the 1989 Report on the World Social Situation, prepared by the Department of International Economic and Social Affairs, and its supplement, as well as the Human Development Report 1990, prepared by the United Nations Development Programme) revealed an uneven socio-economic picture. While the geographical regions in which the process of economic and social development was gaining speed had widened, the relevant indicators showed that far too many human beings continued to live in areas untouched by the progress that was taking place in other developed and developing countries. Indeed, over the past decade, standards of living and social conditions had deteriorated in most countries of sub-Saharan Africa and in several countries in Latin America, and little or no improvement had been registered in some Asian countries in recent years. As the decade drew to a close, it was unacceptable for some one billion people to be living in conditions of absolute poverty, that was to say, for men and women to be struggling to survive on less than $370 a year - the poverty line indicator used by the World Bank.

37. Although the international economic environment and the resources devoted to development co-operation were indeed crucial in the effort to bring about progressive changes in stagnant societies, the uneven outcome of similar foreign assistance initiatives in different geographical regions showed that those factors could not replace effective national policies emphasizing the social needs of the population. As the World Bank had pointed out in its latest development report, national policies should include access of the poor to land, infrastructure, health services, credit and education, and should also promote the full integration of women in development and decision-making processes, as well as special protection for the most vulnerable population groups. From the experience of the past decade, it could be concluded that when priority was given to the social elevation of people and the development of human resources, overall economic performance was strengthened.

38. The Twelve were aware of the economic difficulties facing many third-world countries, particularly the least developed. Nevertheless, they considered that democracy and development should progress together since there was an effect of mutual impetus between, on the one hand, economic performance and development and, on the other, accountable Government and human development, including the principles of democratic practices and pluralistic societies, respect for the human rights and fundamental freedoms of the individual, and his or her right to participate in the decision-making process.

39. When addressing the social condition of a people, certain principles must be constantly referred to, such as the decentralization of authority, community participation and cost-sharing, the full access of women and vulnerable groups to social services, education, legal rights and income-earning opportunities in order to utilize fully their human and economic potential, economic policies that

(Mr. Traxler, Italy)

stimulated human talent and created room for entrepreneurship and, last but not least, an efficient public sector that could provide a proper framework for development. Three other issues, however, had a major negative impact on the social condition: the growing threat posed by climate change and environmental degradation, the constantly increasing world population and the heavy burden of foreign debt borne by several developing countries. Unless those were tackled, their repercussions could jeopardize and possibly nullify any results achieved by sound national policies in an international climate of renewed co-operation.

40. The interaction between an appropriate level of international economic co-operation and sound national policies, placing due emphasis on the social needs of the people, could help to solve the problems that derived from the migration of large masses of people into the urban centres of the developing countries. To the extent that a significant betterment of social conditions in the countryside was achieved, it should be possible to lessen that inflow, which had highly negative effects on often very fragile urban infrastructures. It was imperative, therefore, for the international community to increase its efforts to raise the standard of living of people in areas where population was declining as a result of emigration.

41. With the signature of the Lomé IV Agreement, with 69 countries from Africa, the Caribbean and the Pacific area, and with the STABEX system, the European Community and its member States had given a clear indication of the priority they attached to devising an appropriate framework for dynamic and balanced co-operation activities with the developing countries.

42. The international meeting of experts held in Finland from 7 to 11 May 1990 had proved particularly useful for the purpose of providing impetus in the concluding period (1990-1992) of the Decade of Disabled Persons, and the urgent need to revitalize the objectives of the Decade before it ended had become clear. To that end, emphasis had been placed on the importance of a multidisciplinary approach to the subject and the need to draw up national laws in defence of disabled persons. The European Community and its member States agreed that an open-ended working group could provide a useful forum for laying down a framework of measures of an operational character. In particular, on the basis of the Declaration on the Rights of Disabled Persons, the World Programme of Action concerning Disabled Persons and the Tallinn Guidelines, the Group could prepare a document to facilitate the access of disabled persons to culture, sports, transport, housing, places of work and social services.

43. The commitment of the European Community and its member States to the cause of the disabled was reflected in the ambitious programmes and information systems set up by its Council of Ministers. The Community believed that the main objective of national policies in that field should be the active participation of the disabled in political, economic, social and cultural life, and that to that end greater emphasis should be placed on rehabilitation rather than passive long-term care. In that context, on 12 June 1989, the Council of Ministers of the European Community had adopted recommendations on the employment of disabled persons. The importance of the role that organizations of disabled people were called upon to play in the

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work ahead, both in the industrialized and in the developing countries, should be emphasized and Governments should be urged to promote, strengthen and co-operate with such organizations.

44. Many countries, irrespective of their political system, were witnessing a growing alienation among young people, constituting an unbearable loss of intellectual potential and energy that was bound to have very negative repercussions. The high human and social cost involved should lead to a renewed determination to devise adequate solutions. Everything possible must be done to free societies from the double scourge of drug addiction and AIDS, which claimed so many victims among young people.

45. Young people had been very active in the recent events in Eastern Europe and were continuing to play a part in promoting understanding, solidarity, development and peace in pluralistic structures. It was necessary, therefore, to improve the conditions for their participation in the social, educational and economic fields, so that their hopes could be realized. The initiatives taken as a follow-up to the International Youth Year must be broadened. The European Community recognized the importance of training and had organized major training programmes for young people. In that connection, it was also important to improve the channels of communication between the United Nations system and youth organizations the world over, with a view to improving the circulation of relevant information.

46. Likewise, the participation of aged people should be enhanced, given the value of their experience to society at large, particularly in view of the fact that, through improvements in medical care, elderly people constituted a much larger proportion of the overall population than in the past, especially in developed societies. The initiative taken by the United Nations Population Division and the municipal government of Kitakyushu, in Japan, in organizing an international conference on aging population in the context of the family was very welcome. On a world-wide basis, care for the elderly should remain high on the agenda, particularly when they were incapacitated by disease or physical weakness, as well as for those living in remote areas, who posed a challenge to society's capacity to provide the needed care. The United Nations could play a catalytic role in focusing energy and resources in that field in the years to come.

47. The member States of the European Community would give their full attention to preparations for the International Year of the Family, which would certainly help to emphasize the role of the family as a conduit of social cohesion and an important factor to be considered in the formulation of social welfare policies as well as in the promotion of equality between men and women. Since existing patterns and role models of the family differed among Member States, each country should determine on a national basis which activities to undertake in the context of the celebration of the International Year of the Family.

48. Mrs. TAVARES DE ALVARES (Dominican Republic) said that there were obsolete ideas and attitudes which, like the walls that had been broken down during the current year, could stand in the way of liberty and social well-being. The report of the Secretary-General on the question of aging (A/45/420) heralded the end of

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one of those obstacles by implicitly recognizing the talents and skills of the aged as valuable human resources and as agents, rather than mere recipients, of social change and economic change. The report showed that a broader and more practical approach was being taken to the way in which the United Nations might deal with the crisis relating to the aging of the world's population; it was to be hoped that it would mark the beginning of a new era of co-operation between the United Nations, governmental organizations and the private sector. Her delegation accordingly endorsed the global calendar of events for 1992 and beyond.

49. Eight years earlier, at the World Assembly on Aging, a plan had been drawn up to address the problems of the aging, but the necessary means to carry out that programme had not been provided. The Centre for Social Development and Humanitarian Affairs had been given the task of implementing the plan, but its Aging Unit had to contend with increasing shortages of staff and resources. Governments had concentrated on addressing more visible and immediate priorities, and had not allocated funds for the implementation of the International Plan of Action on Aging; from the year 2000 onwards, however, the social crisis caused by the phenomenon of aging would become fully evident, especially in the third world, where it would escalate much more rapidly than in the developed countries and would change the basic nature of the human population of the planet.

50. Unless precautionary measures were taken, priorities would have to be altered when matters had already reached the chaotic stage that clearly lay ahead. Fortunately, there was now an awareness of the problem and the role of the aging in society was being redefined, as was the part that the United Nations might play in dealing with the situation. According to the report of the Secretary-General, the United Nations was turning to different types of groups in search of ideas, experience and resources, and assuming the role of co-ordinator. What was important was to encourage people to help themselves, so that they could have a sense of being in control of their own destiny.

51. Nowhere was that philosophy better reflected than in the Banyan Foundation, established under the auspices of the United Nations. The Foundation would work, in the context of the International Plan of Action on Aging, to empower the elderly to take their own decisions and to make a contribution to society; to that end, it would help obtain financing from a wide variety of private and public sources in order to carry out practical and profitable social projects and programmes. There were already some projects in existence which were promoting self-sufficiency among the aging, such as bakeries employing the elderly, in Colombia and Ecuador, automobile repair shops managed by elderly people in the Philippines, and self-service laundries operating in a home for the aged in Santiago, in the Dominican Republic. Other activities included home repair services, variety shops, equipment-rental businesses, industrial sewing establishments, child-care services and crafts.

52. With regard to the provision of capital to poor people with no savings, the programme that was being carried out in Bangladesh to assist poor women in rural

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areas who had no access to credit was particularly interesting. Under that programme, the Grameen Bank had provided small loans without security to some 700,000 people in 14,000 villages and the repayment rate was as high as 98 per cent. A development bank for businesses run by the aging would also be established, following the model of the Grameen Bank, to provide capital for projects in which the elderly took part.

53. A more constructive approach to work with other groups and with the elderly themselves had finally put in motion machinery that would enable barriers to be broken down and international efforts to be channelled in the right direction.

54. Mr. KONKOBO (Burkina Faso), referring to agenda item 90, said that the world social situation depended on a process that was very important to the international community, namely social development, whose main purpose was the qualitative transformation of society in order to make it more just and equitable through the effective participation of all its members in the global process of development. The question called for rational analysis. Formerly, discussions on the subject of development had dealt with economic development and, either explicitly or implicitly, attention had been focused on such aspects as the gross domestic product (GDP), the gross national product (GNP), national income, foreign debt and similar matters. The social aspect had seldom been taken into account, as it had been considered non-productive or non-quantifiable. None the less, the experiences of several countries, as well as of the United Nations, had shown that neglect of the social aspects of development created serious problems for the economic and political stability of a country over the long term. Between 1960 and 1970, international agencies had mostly financed agricultural development projects, and economists had considered that a high growth rate was sufficient to ensure development; in third world countries, however, that option had led to an uneven distribution of income which had increased poverty. In fact, the World Bank had voiced certain criticisms regarding the results of the First Development Decade, and in his statement of 24 September 1973 to the Board of Governors, Bank President MacNamara had spoken of growth without development.

55. His delegation therefore felt it was necessary to abandon that narrow concept of development and to adopt a more global and dynamic definition.

56. A country was developed socially when its inhabitants, collectively, had real control over the decisions that affected them and the goods they produced. Social development existed where social inequalities were less pronounced, where organized groups were more numerous and where the flow of individual communications was smoother and more substantial. The demand for social development derived from the demand for equity in the distribution of wealth and power. His country's conception of social development differed from the more generally accepted concept of economic development. It was often thought that social development as his country conceived it was incompatible with economic development; in fact, however, economic development was not possible unless it was based on social development, as he had just defined it.

(Mr. Konkobo, Burkina Faso)

57. The deterioration in the economic and social situation of the developing countries had not abated, and the opportunities for social development of those countries, especially those in the sub-Saharan region of Africa, were decreasing. In addition to the social problems and the natural disasters affecting poor countries, their heavy debt burden and the economic-adjustment reqruiements of international financial institutions, especially since the beginning of the Gulf crisis, were factors which justified Burkina Faso's concern, and presaged even more disastrous economic and social problems for the developing countries. Consequently, his delegation hoped that a peaceful solution to the Gulf crisis would be found as soon as possible.

58. Turning to agenda item 92, on the problems of disabled persons, he saw that the World Programme of Action concerning Disabled Persons was applied in Burkina Faso in a manner consistent with the options and capabilities of his country. Long before the proclamation of the United Nations Decade of Disabled Persons, his country had realized that harmonious social development called for the active participation of all components of society, including disabled persons. Hence, Burkina Faso had adopted social, economic and legal measures to promote the true integration of disabled persons in production and in the various spheres of active life. His country was providing assistance to the different associations involved in the rehabilitation of disabled persons and, in the framework of its policy of reintegration and social promotion of disadvantaged groups, was giving disabled persons the opportunity to enjoy an active life, not only at the personal level but also at the level of participation in development activities. His delegation urged all non-governmental organizations to support the different associations of disabled persons in his country so that, under the guidance of the national institutions, they could consolidate the gains they had already made.

59. With regard to agenda item 96, on policies and programmes involving youth, he said that through the People's Democratic Revolution his country had taken a special interest in youth. That concern was doubly justified, since more than half the population of Burkina Faso was made up of young people. Burkina Faso had organized its youth into the great "pioneer" movement, in order to provide them with the necessary means to participate dynamically in the authorities' efforts to promote economic and social development. In 1990, among other measures on behalf of youth, a job assistance fund had been created and seminars had been organized in the provinces to discuss employment-related issues, with the participation of young people and with a view to considering ways and means of solving the problems of unemployment faced by rural and urban youth.

60. With regard to agenda item 104, on the International Year of the Family, his delegation appreciated that special attention must be paid to the family, which was the basic unit of society and the crucible in which social changes took place. The International Year was a very positive initiative which would help the international community to give serious thought to ways of genuinely furthering the cause of the family in a world where individualism was on the increase at the expense of traditional solidarity. It would also provide an opportunity for States to consider the adoption of a rational social policy which would really take

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account of the family. For those reasons, Burkina Faso supported the International Year of the Family on the basis of the ideas set forth in General Assembly resolution 44/82 and commended the Secretary-General on the measures he had taken for the organization of the International Year as set forth in his note (A/45/365).

61. It must always be borne in mind that no country could undertake or achieve development without mobilizing all the forces of a people united in solidarity. The motivation needed to develop such forces must come from individual and collective conviction freely expressed. On that basis, the Popular Front had since 15 October 1987 been pursuing a policy which sought to involve the people more deeply and genuinely in the promotion of their interests and bringing about a new society characterized by progress, solidarity, justice and prosperity.

62. Mr. PETROVSKY (Union of Soviet Socialist Republics) said that the new world order should be one which respected the interests of all parties and affirmed the principles of human equality in international politics. It must be remembered that the present-day world, while extremely diverse, was at the same time a single living organism, and that injustice and cruelty caused suffering to real people. The new world order must be based not only on relations between States but also on the establishment of new relations between individuals. The process of establishing such relations touched all aspects of social life without exception: politics, economics and humanitarian questions. The international community, and in particular the United Nations, were responsible for ensuring the material and moral well-being of present and future generations.

63. Information which had been gathered, studied and disseminated over the years on the most diverse aspects of social life in different parts of the world was being used to prepare practical recommendations on specific measures and programmes to improve the social environment throughout the world and solve the problems of specific vulnerable population groups. A case in point was the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons. However, there were millions of people in the final years of their lives who lacked even the basic means of subsistence. United Nations efforts to protect the rights of disabled people and the elderly had gained world-wide recognition; that was clear from the measures taken to humanize present-day life. The future of mankind should be the centre of attention in the international community and take its rightful place among the latter's priorities.

64. Regarding agenda item 96, he believed that the future of young people would depend to a large extent on the collective solution of serious present-day social problems. However, the special problems and needs of young people must also be taken into account. The establishment of a consistent youth policy was one of the most important of the tasks being dealt with by the authorities in the Soviet Union. Special legislation on youth was currently being drafted. The right of young people to education, employment and participation on an equal footing in the country's political, economic and social life, the promotion of contacts and exchanges between youth organizations and access for young people to information should be key issues in the Organization's activities concerning young people.

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(Mr. Petrovsky, USSR)

65. Many present-day social problems, such as the situation of the elderly and young people, were the result of the disintegration of the family. That seemed to suggest that dehumanization was the result of humankind's paradoxical loss of humanity. The effects of that paradox were apparent in many of the ills of present-day society, such as drug addiction, delinquency and AIDS. The proclamation of 1994 as the International Year of the Family was evidence of the collective will of the international community to restore and strengthen the role of the family in development. Failure to seize the opportunity to mobilize all available resources to solve so vital a problem would be unforgivable.

66. In accordance with its terms of reference, the Committee must consider concurrently both the relationship between social problems and the development of international co-operation on human rights, and the humanitarian aspects of the Organization's activities. The international community had been extremely active in promoting respect for human rights and fundamental freedoms. A corpus of international law on human rights had been established in practice, consisting of important international instruments such as the Convention on the Rights of the Child, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and the now almost completed Convention on the Rights of Migrant Workers and Their Families. However, it was time for clearer standards to be laid down on freedom of conscience and protection of the rights of the more vulnerable population groups. Human rights must also be guaranteed in respect of scientific and technological advances at a time of environmental deterioration.

67. The Conference on Security and Co-operation in Europe had contributed to the protection of human rights. In 1991 it would be holding a meeting in Moscow on humanitarian questions, with the aim of broadening the traditional parameters of interaction on human rights on the basis of recognition of the universal values of mankind. At that meeting the international community should concentrate on formulating new norms and guaranteeing the implementation of existing ones. The proposed international control mechanisms would play an important role in the implementation of human rights, promote the fulfilment of obligations undertaken by States and ensure that national legislation conformed with international norms. International human rights norms set the standard for national practice. The incorporation of those instruments of international law into the national laws and practice of all States was the real way to universalize and increase the effectiveness of those instruments as well as international humanitarian co-operation.

68. In the final analysis, it should be possible to achieve greater transparency and predictability in the development of the international situation and, to a large extent, guarantee human rights, although that would depend also on correspondence between national and international legal norms and the participation of countries in the international control mechanisms. That was the way to establish a new world order as a community of States under the rule of law, in which the primacy of international law was reaffirmed.

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(Mr. Petrovsky, USSR)

69. The subject of law was man, and man would be fully reflected in society when recognition of his social role was assured and when he freely exercised his rights on an equal footing with others. Recent history confirmed the importance of human rights and their social impact in international relations. Failure to respect human dignity could even lead to regional conflicts which would jeopardize international peace and security. In the Gulf region an aggressor had wantonly obliterated the legitimate rights of an entire people, denying them not only the right to self-determination and the possibility of choosing their own form of political, economic and social development, but even the right to call themselves a people.

70. Nevertheless, the Soviet Union was optimistic about the future of international humanitarian co-operation in the spheres of human rights and social development. It believed that a climate of interaction between States should be created in the international human rights organs, where problems could be studied from the point of view of principle, not politics. The international community must understand that human rights were not a matter for ideological confrontation or interference in internal affairs, but were the common concern of all and a common objective for all those who remained faithful to the purposes and principles of the United Nations Charter.

The meeting rose at 5.50 p.m.